

NOTICE OF ORDER

Section 119 - Highways Act 1980

Gloucestershire County Council
Public Footpaths KCH 17 & KCH19 Parish of Chedworth Diversion Order 2019

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 31st March 2020.

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 be to divert the lengths of public footpaths described in Part 1 of the schedule to a line as described in Part 2 of the schedule.

Part 1

That length of public footpath numbered KCH 17 in the Parish of Chedworth that commences at a point marked A at Ordnance Survey Grid Reference (OSGR) SP0551/1237 95 metres south east of Hartshill in a north westerly direction for 75 metres to a point marked B at OSGR SP05461/1243 and then in a north north westerly direction for 22 metres and then in a north westerly direction for 43 metres to a point marked C on the said plan at OSGR SP0543/1248 and being shown by a bold continuous line and of a undefined width from Point A to B and a minimum width of 1.5 metres measured a minimum of 0.5 metres from the edge of any adjacent hedge fence or wall between points B to C.

That length of public footpath numbered KCH 19 in the Parish of Chedworth that commences at a point marked F at OSGR SP0551/1235 110 metres south east of Hartshill in a northerly direction for 18 metres to a point marked A at OSGR SP0551/1237 and being shown by a bold continuous line and of undefined width.

Part 2

A length of public footpath that commences at a point marked E on the drive at OSGR SP0551/1236 on the Order Map then extends in a north westerly direction for 80 metres and then in a north north-westerly direction for 28 metres and then in a north westerly direction for 38 metres and then in a south westerly direction for 11 metres to the said point C and being shown by a bold broken line and having a width of 2.5 metres between points E and D at OSGR SP0547/1244 widening to 5 metres and then narrowing to 2.5 metres to point C.

A length of public footpath that commences at the said point F that extends in an east north easterly direction for 6 metres to a point marked G at OSGR SP0551/1235 and being shown by a bold broken line and having a width of 2 metres.

Any queries relating to this Order should be referred to Spencer Barrowman at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5211. Email: Spencer.Barrowman@planninginspectorate.gov.uk. Please quote reference number ROW/3235387 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 Gloucestershire County council, Shire Hall, Westgate Street, Gloucester GL1 2TG between 9am and 5pm Monday to Friday or by contacting 01452 328172.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 14th April 2020]

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 26th May 2020]

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 7th July 2020]

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.

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
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

GLOUCESTERSHIRE COUNTY COUNCIL
PUBLIC FOOTPATHS KCH 17 and KCH 19 PARISH OF CHEDWORTH
DIVERSION ORDER 2019

This Order is made by Gloucestershire 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 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 Gloucestershire County Council's Definitive Map and Statement 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 compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in the bringing the new site of the path into a fit condition for use by the public.

Cotswold District Council has been consulted 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 Hartshill in the Parish of Chedworth Gloucestershire and shown by a bold continuous line on the map contained in this order (the "Order Map") and described in Part 1 of the Schedule to this order (the "Schedule") shall be stopped up from the date of confirmation of this order, and thereupon the Definitive Map of Public Rights of Way for Gloucestershire shall be modified by deleting from it that public right of way.
2. Notwithstanding this order Statutory Undertakers whose apparatus is under, in, upon, over, along or across the path or way shall have the same powers and rights in respect of their apparatus as if the order authorising the path or way to be diverted had not been made.
3. There shall from the date of confirmation of this order be a public footpath over the land situate at Hartshill in the Parish of Chedworth Gloucestershire and described in Part 2 of the Schedule and shown by a bold broken line on the Order Map and thereupon the Definitive Map of Public Rights of Way for Gloucestershire shall be modified by adding that path to it.

3A The Definitive Statement of Public Rights of Way for Gloucestershire shall be modified as described in Part 4 of the Schedule to this Order.

SCHEDULE

Part I

Description of Site of Existing Path or Way

That length of public footpath numbered KCH 17 in the Parish of Chedworth that commences at a point marked A at Ordnance Survey Grid Reference (OSGR) SP0551/1237 95 metres south east of Hartshill in a north westerly direction for 75 metres to a point marked B at OSGR SP05461/1243 and then in a north north westerly direction for 22 metres and then in a north westerly direction for 43 metres to a point marked C on the said plan at OSGR SP0543/1248 and being shown by a bold continuous line and of undefined width from point A to B and a minimum width of 1.5 metres measured a minimum of 0.5 metres from the edge of any adjacent hedge fence or wall between points B to C.

That length of public footpath numbered KCH 19 in the Parish of Chedworth that commences at a point marked F at Ordnance Survey Grid Reference (OSGR) SP0551/1235 110 metres south east of Hartshill in a northerly direction for 18 metres to a point marked A at OSGR SP0551/1237 and being shown by a bold continuous line and of undefined width.

Part 2

Description of Site of New Path or Way

A length of public footpath that commences at a point marked E on the drive at OSGR SP0551/1236 on the Order Map then extends in a north westerly direction for 80 metres and then in a north north westerly direction for 28 metres and then in a north westerly direction for 38 metres and then in a south westerly direction for 11 metres to the said point C and being shown by a bold broken line and having a width of 2.5 metres between points E and D at OSGR SP0547/1244 widening to 5 metres and then narrowing to 2.5 metres to point C.

A length of public footpath that commences at the said point F that extends in an east north easterly direction for 6 metres to a point marked G at OSGR SP0551/1235 and being shown by a bold broken line and having a width of 2 metres.

IN WITNESS WHEREOF the Gloucestershire County Council have caused their
Common Seal to be hereunto affixed the 12th day of February two
thousand and nineteen.

THE COMMON SEAL of

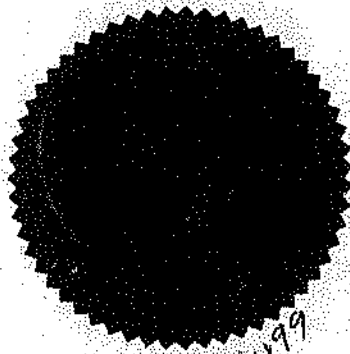
GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:-

A handwritten signature in dark ink, appearing to be 'J. B. O.', followed by a period.

for Head of Legal Services



9499

14	FP KCH 19	FP KCH 17	104 metres SE of Hartshill	SW, S	40877	283 metres SSE of Hartshill	546	Submitted by Parish Council but not shown on OS. Public Path Diversion and Definitive Map and Statement Modification Order Highways Act 1980 Wildlife and Countryside Act 1981 Gloucestershire County Council Public Footpaths KCH 17 & KCH 19 Parish of Chedworth Diversion Order 2019 Width 2m between F - G field gate at point F
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ADD THE FOLLOWING ENTRIES:

14	FP KCH 17	FP KCH 10	127 metres NW of Hartshill	SE	40877	237 metres SE of Hartshill	548, 546	Submitted by Parish Council & shown on 6" OS Glos 35 Edition of 1924. Stiles on site. Public Path Diversion Order Highways Act 1980 Public Footpaths KCH 11, 17, 18 & Public Bridleway KCH 16. Diversion order 1996, confirmed 2.5.1996 Stiles at OSGR SP0538/1247 & SP0543/1247 Width 1.5 metres measured 0.5 m from adjacent hedge, fence or wall Public Path Diversion and Definitive Map and Statement Modification Order Highways Act 1980 Wildlife and Countryside Act 1981 Gloucestershire County Council Public Footpaths KCH 17 & KCH 19 Parish of Chedworth Diversion Order 2019 Width 2.5 m between E - D 5 metres narrowing to 2.5 m from D - C Pedestrian gate at point E, field gate at point D1
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PART 4

Modification of Definitive Statement Variation of particulars of path or way

MAP NUMBER	CLASS & RIGHT OF WAY	FROM		GENERAL DIRECTION	TO		PARTICULARS AS TO POSITION, WIDTH LIMITATIONS OR CONDITIONS AS IN THE OPINION OF THE AUTHORITY IT IS EXPEDIENT TO RECORD
		COUNTY ROAD OR RIGHT OF WAY	LOCATION		COUNTY ROAD OR RIGHT OF WAY	LOCATION	
DELETE THE FOLLOWING ENTRIES:							
14	FP KCH 17	KCH 10	400ft. approx., NW of Hartshill	SE	40877	700 ft. approx., SE of Hartshill	Submitted by Parish Council & shown on 6" OS Glos 35 Edition of 1924. Stiles on site. Public Path Diversion Order Highways Act 1980 Public Footpaths KCH 11, 17, 18 & Public Bridleway KCH 16. Diversion order 1996, confirmed 2.5.1996 Stiles at OSGR SP0538/1247 & SP0543/1247 Width 1.5 metres measured 0.5 m from adjacent hedge, fence or wall
14	FP KCH 19	KCH 17	300 ft. approx., SE of Hartshill	S	40877	900 ft. approx., SSE of Hartshill	Submitted by Parish Council but not shown on OS.

ADD THE FOLLOWING ENTRIES:

14	FP	FP KCH 10	127 metres NW of	SE	40877	237 metres SE	548, 546	Submitted by Parish
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Part 3
Limitations and Conditions

Point E	OSGR SP0551/12337	pedestrian gate compliant with BS 5709
Point D 1	OSGR SP0545/1247	field gate compliant with BS 5709
Point G	OSGR SP0551/1235	field gate compliant with BS 5709

TITLE:
Division of
footpaths KCH 17, KCH 19,



DRAWN BY: Martine Tyler
DATE: 31st January 2018
SCALE: 1:1250

Legend

Footpath to be stopped up
KCH 17 A - B - C ———
KCH 19 F - A ———

stopped up
by separate order
KCH 15 D - B ———

Footpath to be created
E - D - C ———
F - G ———

Unaffected rights of way
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Public Rights of Way

Shore Hill, Westgate Street
Gloucester GL1 2TC
Tel: 01452 228172
Gloucestershire County Council

