

**APPENDIX 2: THE WILTSHIRE COUNCIL (WEST TISBURY NO.21) PUBLIC PATH
DIVERSION ORDER 2012 AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2012**

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE WILTSHIRE COUNCIL (WEST TISBURY No.21) PUBLIC PATH DIVERSION ORDER
2012 AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2012

This order is made by Wiltshire 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 bridleway 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 Mere and Tisbury Rural District Council Area definitive map and statement dated 1952 require modification in consequence of the occurrence of an event specified in section 53(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.

The owners of the land 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.

West Tisbury Parish Council have been consulted as required by section 120(2) of the 1980 Act;

BY THIS ORDER:

1. The public right of way over the land situate at Tucking Mill, West Tisbury and shown by a bold continuous line on the map contained in this order and described in Part I of the Schedule to this order shall be stopped up after 28 days from the date of confirmation of this order, and thereupon the Mere and Tisbury Rural District Council Area definitive map dated 1952 shall be modified by deleting from it that public right of way.
2. Notwithstanding this order BT Openreach shall have the following rights over the land referred to in paragraph 1 namely:-

Where immediately before the date on which the bridleway is diverted there is apparatus under, in, on, over, along or across it belonging to BT Openreach 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 at the end of 28 days from the date of confirmation of this order be a public bridleway over the land situate at Tucking Mill, West Tisbury described in Part 2 of the Schedule and shown by a bold broken line with cross bars in the intervals on the map contained in this order, and thereupon the Mere and Tisbury Rural District Council Area definitive map dated 1952 shall be modified by adding that path to it.

4. The Mere and Tisbury Rural District Council Area definitive statement dated 1952 shall be modified as described in Part 3 of the Schedule to this order.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of bridleway as shown on the attached plan by a bold continuous line leading from point A at OS Grid Reference ST 9348-2902, in a north-easterly direction for approximately 125 metres, to point B at OS Grid Reference ST 9356-2912.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

That length of bridleway as shown on the attached plan by a bold broken line with cross bars in the intervals leading from point A at OS Grid Reference ST 9348-2902, in a northerly direction for approximately 8 metres, before leading north-east for approximately 42 metres, continuing north for approximately 15 metres and then leading generally east-north-east for approximately 35 metres, before continuing generally north-east for approximately 35 metres to point B at OS Grid Reference ST 9356-2912, having a width of 4 metres.

PART 3

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to Read</u>	<u>Modified Under Section 53(3) as Specified</u>
West Tisbury	21	BRIDLEWAY. From the north-east end of Bridleway No.15, at OS Grid Reference ST 9348-2902, leading in a northerly direction for approximately 8 metres, before leading north-east for approximately 42 metres, continuing north for approximately 15 metres and then leading generally east-north-east for approximately 35 metres, before	53(3)(a)(i)

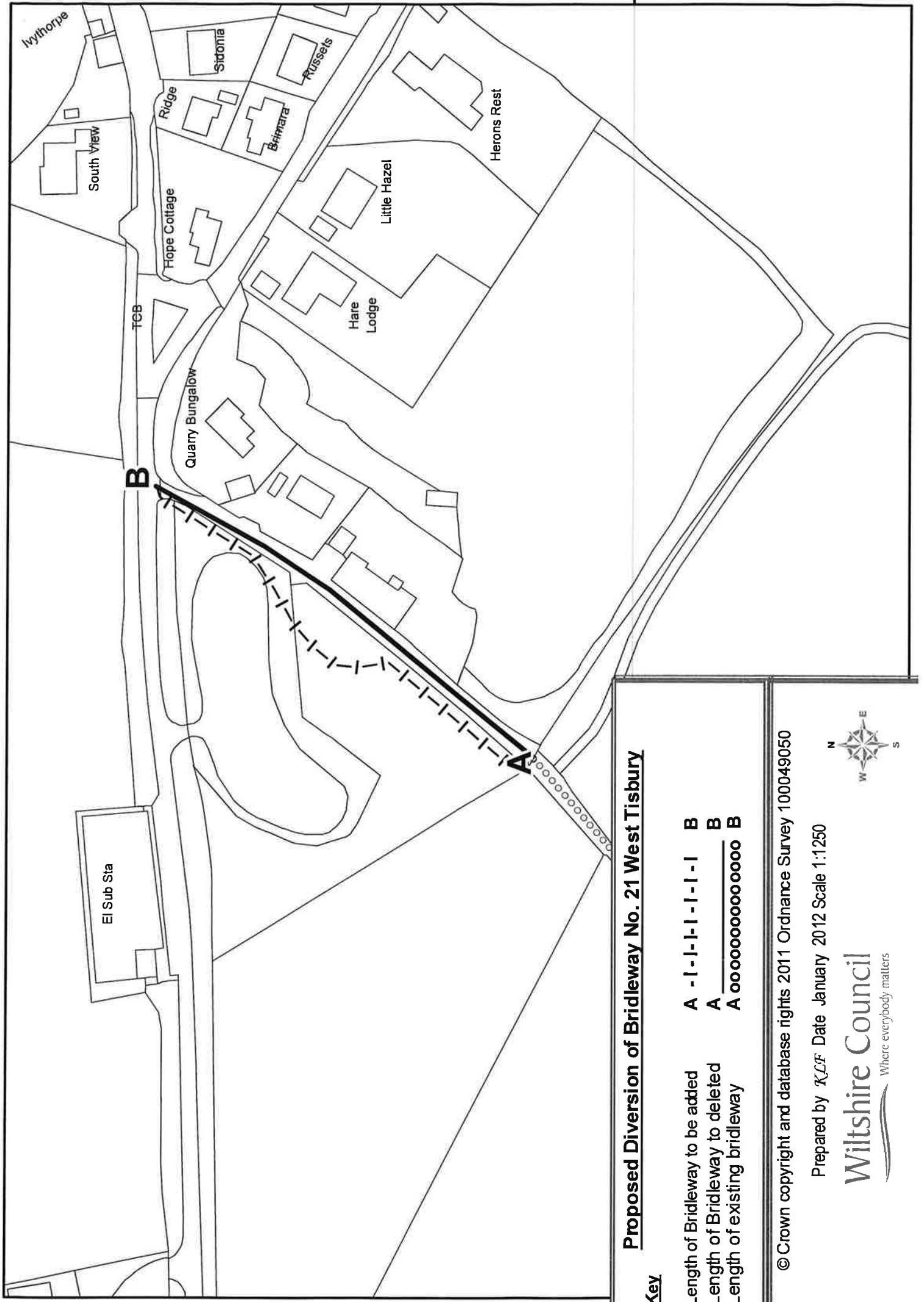
continuing generally north-east for
approximately 35 metres to OS Grid
Reference ST 9356-2912.
Width: 4 metres.
Approximate length: 135 metres.

THE COMMON SEAL of }
WILTSHIRE COUNCIL }
Was hereunto affixed this }
13th day of November 2012 }
In the presence of: -

Sue S. Green
Principal Solicitor



76537



Proposed Diversion of Bridleway No. 21 West Tisbury

Key

- Length of Bridleway to be added A - | - | - | - | - | - | B
- Length of Bridleway to be deleted A _____ B
- Length of existing bridleway A oooooooooooooo B

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Prepared by *KLF* Date January 2012 Scale 1:1250

