

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980

APPENDIX

WILDLIFE AND COUNTRYSIDE ACT 1981

B

WILTSHIRE COUNCIL

The Wiltshire Council Parish of Norton Bavant Path No. 4 (part) Diversion Order and Definitive Map and Statement Modification Order 2015

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 and of the public 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 Warminster and Westbury Rural District Council definitive map and statement dated 1953 as modified under the Wildlife and Countryside Act 1981 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.

Norton Bavant Parish Meeting has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER

1. The public right of way over the land situated at Scratchbury Hill in the Parish of Norton Bavant 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, after confirmation of the order, shall be stopped up on the date on which Wiltshire Council certify that work has been carried out to bring the site of the new highway described in Part 2 of the Schedule into a fit condition for use by the public and thereupon the Warminster and Westbury Rural District Council definitive map shall be modified by deleting from it those public rights of way.
2. Notwithstanding this order Scottish and Southern Energy shall have the following rights over the land referred to in paragraph 1 namely: -

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 be at the date of certification of the new highway described in Part 2 of the Schedule a bridleway as described in Part 2 of the Schedule over land south of Scratchbury Hill, Norton Bavant and as shown by a bold broken line on the map contained

in this order, and thereupon the Warminster and Westbury Rural District Council definitive map shall be modified by adding this path to it.

- 3A. The Warminster and Westbury Rural District Council area definitive statement dated 1953 shall be modified as described in part 3 of the Schedule to this Order.
4. 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.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Path as shown on the plan attached hereto by a bold black line leading from point A at OS Grid ref ST 91012 44674 east past North Farm Cottages where south over Scratchbury Hill and south east to point C at OS Grid ref ST 91694 43539. Additionally short spur at B. Width 3.5 metres Approx. length 2000 metres

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Path as shown by a bold broken line on the plan attached hereto leading from point C at OS Grid ref ST 91694 43539 leading north north west, west, south west and north west to point D at OS Grid ref ST 90853 44042. Width 4 metres Approx length 1200 metres

PART 3

LIMITATIONS AND CONDITIONS

Gate to BS5709:2006 at OS Grid ref ST 91303 43775

PART 3

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Parish	Number	Details	Section
Norton Bavant	4	<u>Bridleway</u> From the u/c 9052 at OS Grid ref. ST 90853 44042 leading south east through Norton Plantation then north north east following field edge track to gate continuing to its junction with footpath no 10 where south south east to the Southampton – Bath Trunk Road, A. 36 and B.3095 roundabout junction.	53(3)(a)(i)

Limitations and Conditions : Bridle gate to BS 5709:2006 at OS Grid ref. ST 91303 43775

Width 4 metres Approximate length 1200 metres

THE COMMON SEAL of }
WILTSHIRE COUNCIL }
was hereunto affixed this }
6th day of August 2015 }



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In the presence of : -

Senior Solicitor

Amadey