

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

WILTSHIRE COUNCIL

**THE WILTSHIRE COUNCIL BAYDON 2 (PART) AND 11 (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 restricted byway and 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 Marlborough and Ramsbury Rural District Council area definitive map and statement dated 1952 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.

The applicant 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 bringing the new site of the path into a fit condition for use by the public.

Baydon 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 land situate at Baydon House Farm, in the parish of Baydon 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 Marlborough and Ramsbury Rural District Council definitive map shall be modified by deleting from it those public rights of way.

2. Notwithstanding the order Openreach BT shall have the following rights over the land referred to in paragraph 1 namely:-
Where immediately before the date on which the path 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 at Baydon House Farm, Baydon and as shown by bold broken lines on the map contained in this order, and thereupon the Marlborough and Ramsbury Rural District Council definitive map shall be modified by adding that path to it.
4. The Marlborough and Ramsbury 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 restricted byway shown as a bold unbroken line on the plan attached hereto leading from point A at OS Grid Reference SU 2774 7740 leading east for approximately 180 metres to point B at OS Grid Reference SU 2791 7740 and that length of bridleway shown as a bold unbroken line on the plan attached hereto leading from point B at OS Grid Reference SU 2791 7740 in south south west, south and west to point D at OS Grid Reference SU 2781 7714. Approximate length 370 metres Width OS Grid Reference SU 2787 7773 to SU 2794 7751 4 metres.

SCHEDULE Contd

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

That length of bridleway shown as a bold broken line on the plan attached hereto leading from point E at OS Grid Reference SU 2775 7737 leading east to point F at OS Grid Reference SU 2776 7736 where south and south east to point G at OS Grid Reference SU 2785 7714 where west to point H at OS Grid Reference SU 2781 7713. Approximate length 310 metres width 4 metres.

PART 3

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Parish	Path no.	Modified Statement to read: -	Modified under Section as specified
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Baydon	2	<u>Restricted Byway</u> from OS Grid Reference SU2774 7741 leading north and east, east north east, east, south south east, south east and south south west where at OS Grid Reference SU 2804 7730	53(3)(a)(i)
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Bridleway leading south east to road U/C 5018 north of Gores Copse

Width Restricted byway section OS Grid Reference SU2774 7741 to SU2793 7745 4.1 metres, SU2793 7745 to SU2800 7744 5 metres (3 metres at SU2800 7744), SU2800 7744 to SU2801 7740 4.1 metres SU2801 7740 to SU 2802 7739 5 metres, SU2802 7739 to SU2804 7737 2.6 metres and from SU2804 7737 to SU2804 7730 5 metres to SU2800 7744 2.6 metres and from SU2800 7744 to SU2804 7730 4.1 metres.

Approximate length 1.27 kms

PART 3 Contd

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Parish **Path no.** **Modified Statement to read: -** **Modified under**
Section as specified

Baydon 11 Restricted Byway from the U/C 5013 at OS Grid Reference SU 2787 7773 leading south south west, south and south east to OS Grid Reference SU 2794 7751 at its junction with Baydon 30. 53(3)(a)(i)

Width 4 metres OS Grid Reference SU 2787 7773 to OS Grid Reference SU 2794 7751.

Approximate length 350 metres

Baydon 32 Bridleway from its junction with path no. 8 at OS Grid Reference SU 2775 7737 leading east to SU 2776 7736 where south and south east beside tree belt to SU 2785 7714 where west to its junction with path no. 8 at SU 2781 7713. 53(3)(a)(i)

Width 4 metres.

Approximate length 310 metres

THE COMMON SEAL OF }
THE WILTSHIRE COUNCIL }
was hereunto affixed this }
13th day of August 2015 }
in the presence of:

Paul M. T. S.
Senior Solicitor



8 1814

Diversion of Baydon 2 (part) and 11 (part)

Key

Existing path to be extinguished A ——— B ——— C ——— D

New path to be created E - - - - F - - - - G - - - - H

Unaffected rights of way X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

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Tracy Carter Associate Director of Waste and Environment
OS Grid ref. Point A = SU 2774 7740
Prepared by: SM Date: August 2015 Scale: 1:2500

Wiltshire Council
Where everybody matters

