

**PUBLIC PATH STOPPING UP AND DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER** **APPENDIX C**

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

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

**WILTSHIRE COUNCIL PARISH OF HEYWOOD PATHS 6 (part), 7 and 8 (part) STOPPING UP
AND DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
2016**

This order is made by Wiltshire Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up and divert the footpaths 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 the formation of a new business park (Class B1, B2 and B8) access and associated works to be implemented on a phased basis.

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 Area 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 stopping up and diversion (as authorised by this Order) of highways hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpaths 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 Warminster and Westbury Rural District Council Area Definitive Map and Statement dated 1953 and as modified by the Wildlife and Countryside Act 1981 shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Wiltshire Council alternative highways for use as replacements for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion and stopping up of the footpaths shall have effect on the date on which Wiltshire Council certify that the terms of Article 2 have been complied with and upon the occurrence of that diversion and stopping up the Warminster and Westbury Rural District Council Area Definitive Map and Statement dated 1953 as modified under the Wildlife and Countryside Act 1981 shall be modified by deleting from it those paths or ways referred to in paragraph 1 of this order and the paths or ways 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 footpaths are stopped up and diverted there is apparatus under, in, on, over, along or across them 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 1

Description of site of existing paths or ways

That length of Heywood no. 6 leading from point A at Grid Ref ST 8642 5353 to point B at Grid Ref ST 8655 5337 as shown on the attached map by a solid black line. Approximate length 210 metres.

That length of Heywood no. 6 leading from point G at Grid Ref ST 8660 5330 to point H at Grid Ref ST 8672 5312 as shown on the attached map by a solid black line. Approximate length 225 metres.

That length of Heywood no. 7 leading from point D at Grid Ref ST 8642 5351 to point F at Grid Ref ST 8646 5328 as shown on the attached map by a solid black line. Approximate length 235 metres.

That length of Heywood no. 8 leading from point J at Grid Ref ST 8668 5333 to point K at Grid Ref ST 8670 5313 as shown on the attached map by a solid black line. Approximate length 205 metres.

PART 2

Description of site of alternative highway

That length of footpath as shown on the attached map by a broken black line leading from point A at Grid Ref ST 8642 5353 to point C at Grid Ref ST 8660 5339. Width 2 metres. Approximate length 335 metres.

That length of footpath as shown on the attached map by a broken black line leading from point G at Grid Ref ST 8660 5330 to point H at Grid Ref ST 8672 5312 via point J at Grid Ref ST 8668 5333. Width 2 metres. Approximate length 350 metres.

PART 3

Modification of Definitive Statement

Variation of particulars of path or way

Parish	Path No	Description	Modified under WCA 81 Section
Heywood	6	<u>FOOTPATH</u> From the southern end of road u/c 6127 at Hawkeridge leading south east to Grid Ref ST 8642 5353 where east north east, south south east, east north east and broadly south south east following the line of the brook to its junction with Heywood path No. 9 at Grid Ref ST 8660 5339. Continuing from Heywood path No. 9 at Grid Ref ST 8655 5336 where south east for approx. 75 metres to the perimeter of the Business Park where north east for	53(3)(a)(i)

PART 3 Continued

Modification of Definitive Statement

Variation of particulars of path or way

Parish	Path No	Description	Modified under WCA 81 Section
Heywood	6	contd approximately 93 metres where south east to its junction with Heywood path No. 8. From there continuing south east and then south to Grid Ref ST 8672 5312 where east across the Railway then south to Shallow Wagon Lane (Heywood path No. 24) where south east to its junction with Westbury Path No. 6. Width from ST 8642 5353 to ST 8660 5339 = 2 metres Width from ST 8660 5330 to ST 8668 5333 = 2 metres Width from ST 8668 5333 to ST 8672 5312 = 2 metres Approximate length = 1215 metres	
Heywood	7	Delete entire statement	53(3)(a)(i)
Heywood	8	<u>FOOTPATH</u> From Heywood path No. 9 at Hawkeridge Mill leading south south east to Grid Ref ST 8668 5333. Approximate length 40 metres	

THE COMMON SEAL OF }
THE WILTSHIRE COUNCIL }
Was hereunto affixed this }
9th day of February 2016 }

In the presence of: -



Senior Solicitor



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