

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

HIGHWAYS ACT 1980 – SECTION 119

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

**THE WILTSHIRE COUNCIL BRATTON 42 (PART) DIVERSION AND DEFINITIVE
MAP AND STATEMENT MODIFICATION ORDER 2021**

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 footpath 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 Warminster and Westbury Rural District Council area definitive map and statement dated 1953 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.

Bratton Parish Council has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public rights of way over the land situate east of Luccombe Mill, Imber Road, Bratton in the parish of Bratton and shown by a bold continuous line on the plan contained in this order and described in Part 1 of the Schedule to this order shall be stopped up on such date as the authority certifies that the work bringing the new site of the path into a fit condition for use by the public has been carried out and thereupon the Warminster and Westbury Rural District Council area definitive map and statement dated 1953 shall be modified by deleting from it that public right of way.
2. There shall at the end of 28 days from the date of confirmation of this order be an alternative public footpath over the land situate east of Luccombe Mill, Imber Road, Bratton in the parish of Bratton described in Part 2 of the Schedule and shown by a bold broken line on the plan contained in this order,

and thereupon the Warminster and Westbury Rural District Council area definitive map and statement dated 1953 shall be modified by adding that path to it.

3. The Warminster and Westbury Rural District Council area definitive map and statement dated 1953 shall be modified as described in Part 3 of the Schedule to this order.

THE COMMON SEAL OF }
THE WILTSHIRE COUNCIL }
was hereunto affixed this }
16 February 2021 }
in the presence of:

[Handwritten signature]

Senior Solicitor



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of footpath leading from point A on the attached plan, at OS Grid Reference ST 9205-5204 leading in a broadly east north easterly direction for approximately 170 metres to point B at OS Grid Reference ST 9222-52207.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

That length of footpath from point C on the attached plan, at OS Grid Reference ST 9206-5204, leading in a broadly east north easterly direction for approximately 160 metres to point B at ST 9222-5207. Having a width of 2 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>
Bratton	42	<p><u>FOOTPATH.</u> From OS Grid reference ST 9205-5204 at its junction with Imber Road, Bratton leading in an east-north-easterly direction for approximately 160 metres where the path crosses onto a raised walkway across the waterbed to the Edington parish boundary at ST 9225-5204. At ST9230-5200 the path re-enters the parish of Bratton continuing in a southerly direction on a well-defined track to ST 9229-5179 where the path turns in a north westerly direction uphill to Imber Road at ST 9222-5184.</p> <p>Approximate length 493 metres.</p> <p>Width- 2 metres from OS Grid Reference ST 9206-5204 to OS Grid Reference ST 9222-5207. The remainder of the footpath width is 1.5 metres for length of path except the section over the raised walkway leading to the Edington Parish boundary which has a width of 1 metre.</p> <p>Limitations and conditions: Kissing gate compliant with BS 5709:2018 at ST 9206-5204 and ST 9220-5206</p>	53 (3) (a) (i)

Highways Act 1980 Section 119 Footpath Bratton no.42 (part)

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