

PUBLIC PATH DIVERSION AND DEFINITIVE MAP
AND STATEMENT MODIFICATION ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

GLOUCESTERSHIRE COUNTY COUNCIL
PUBLIC FOOTPATHS GDY 57 (PART) (PARISH OF DYMOCK) AND GKE 38
(PARISH OF KEMPLEY)
DIVERSION ORDER 2023

This Order is made by Gloucestershire County 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 owners of the land crossed by the footpaths described in paragraph 1 of this Order it is expedient that the line of the footpaths 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 Definitive Map and Statement for the County of Gloucestershire 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 applicants have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and pay any expenses which are incurred in bringing the new site of the public rights of way into a fit condition for use by the public.

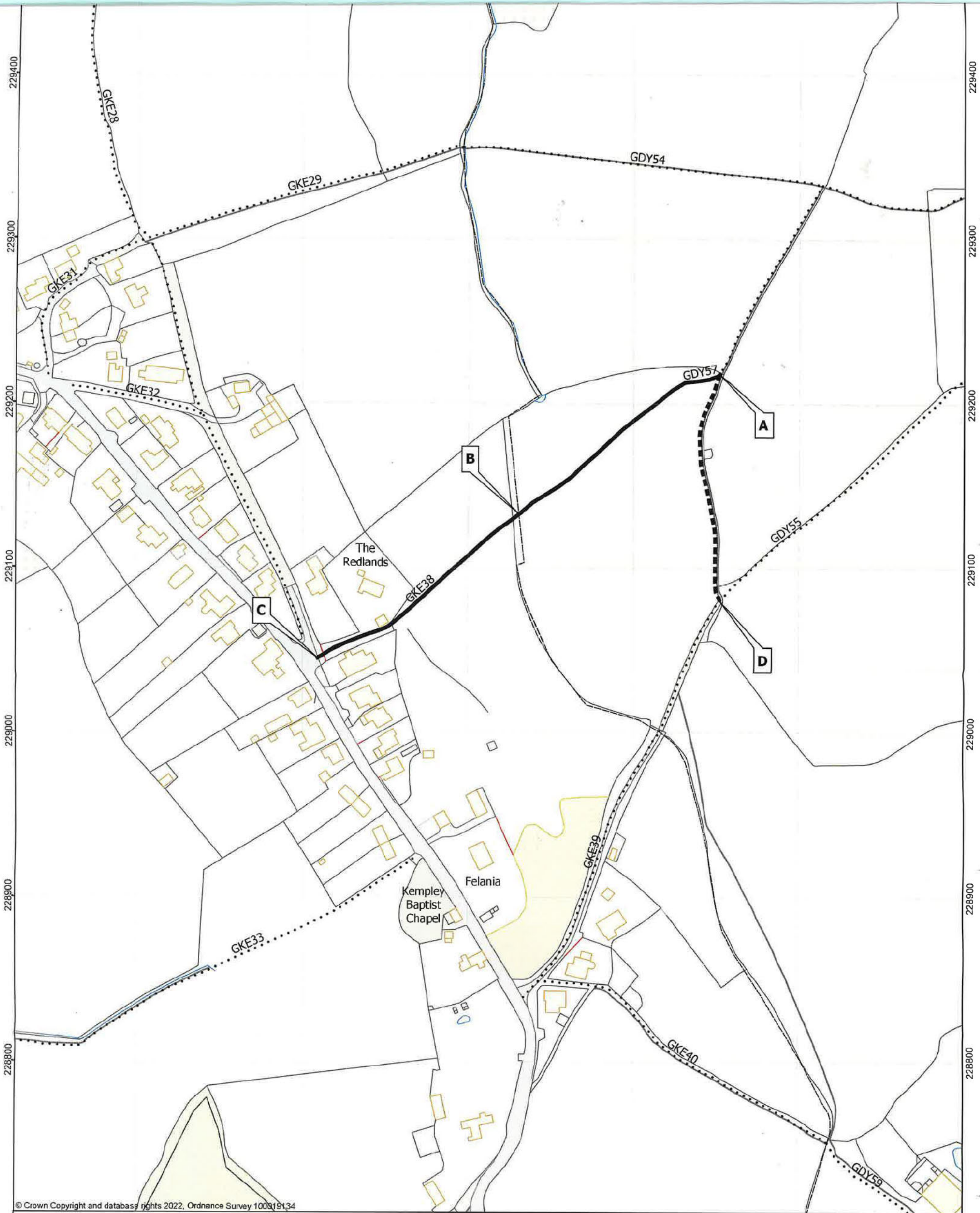
Forest of Dean District Council has been consulted as to the making of the Order as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public rights of way over the land situate south and northeast of The Redlands in the Parishes of Kempley and Dymock, Gloucestershire and shown by a bold continuous line on the plan contained in this Order (the "Order Plan") and described in Part 1 of the Schedule to this Order (the "Schedule") shall be stopped up 28 days from the date of confirmation of this Order, and thereupon the Definitive Map of Public Rights of Way for the County of Gloucestershire shall be modified by deleting from it those public rights of way.
2. Notwithstanding this Order Statutory Undertakers whose apparatus is under, in, upon, over, along or across the paths or ways shall have the same powers and rights in respect of their apparatus as if the Order authorising the paths or ways to be diverted had not been made.
3. There shall 28 days from the date of confirmation of this Order be a public footpath over the land situate east of The Redlands in the Parish of Dymock Gloucestershire and described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan, and thereupon the Definitive Map of Public Rights

of Way for the county of Gloucestershire shall be modified by adding that path to it.

- 3A. The Definitive Statement of Public Rights of Way for Gloucestershire shall be modified as described in Part 4 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.



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Diversion of footpaths GDY 57 (part) and GKE 38 at The Redlands and Felania, Parishes of Dymock and Kempley

Public Rights of Way Shire Hall, Westgate Street, Gloucester GL1 2TG Tel. 08000 514 514 www.gloucestershire.gov.uk <small>This map is reproduced from (or based upon) Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown Copyright and database right 2022, Ordnance Survey 100019134. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.</small>	Drawn by: XXXXXXXXXX SCALE: 1:2,000 DATE: 14/11/2022 Drawing size: A3	Key Footpaths to be stopped up ——— GDY 57 A - B GKE 38 B - C	New footpath A - D - - - - - Unaffected rights of way Parish boundary - - - - -
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SCHEDULE

Part 1

Description of Site of Existing Paths or Ways

The entire width of that length of public footpath numbered GDY 57 in the Parish of Dymock that commences at a point marked A at Ordnance Survey Grid Reference (OSGR) SO 6785/2921 on the plan attached to the Order approximately 240 metres northeast of The Redlands and proceeds in a generally southwesterly direction for approximately 151 metres to point B at OSGR SO 6773/2913 at the junction with footpath GKE 38 and being shown by a bold continuous line and of undefined width.

The entire width of that length of public footpath numbered GKE 38 in the Parish of Kempley that commences at the said point B and proceeds in a generally southwesterly direction for approximately 102 metres continuing in a generally west southwesterly direction for approximately 48 metres to point C at OSGR SO 6761/2904 at the junction with road number C55 and being shown by a bold continuous line and of undefined width.

Part 2

Description of Site of New Path or Way

A length of public footpath that commences at the said point A and extends in a generally southerly direction for approximately 142 metres to public footpath GDY 55 at a point marked D on the Order Plan at OSGR SO 6785/2907 and being shown by a bold broken line on the plan attached to this Order and having a width of 2.5 metres.

Part 3

Limitations and Conditions

None.

Part 4

Modification of Definitive Statement Variation of particulars of path or way

		FROM				TO			
MAP NUMBER	CLASS & RIGHT OF WAY	COUNTY ROAD OR RIGHT OF WAY	LOCATION	GENERAL DIRECTION	COUNTY ROAD OR RIGHT OF WAY	LOCATION	VIA OS PARCEL NOS. (EDITION 1921/23 UNLESS OTHER-WISE STATED)	PARTICULARS AS TO POSITION, WIDTH LIMITATIONS OR CONDITIONS AS IN THE OPINION OF THE AUTHORITY IT IS EXPEDIENT TO RECORD	
DELETE THE FOLLOWING ENTRIES:									
8	FP GDY 57	FP GKE 38	E. of Kempley Green	N.E.	FP GDY 54	W. of New Grange	88, 377	Submitted by Parish Council. Shown on 6" O.S. 1924 Edition.	
8	FP GKE 38	3/55	South of Woods Folly, Kempley	N.E.	FP GDY 57	Dymock Parish Boundary, East of Woods Folly	50, 51	Shown on 6" O.S. 1924 Edition. Submitted by Parish Council.	

ADD THE FOLLOWING ENTRIES:

8	FP GDY 57	FP GDY 55	East of Kempley Baptist Chapel	North	FP GDY 54	Southwest of New Grange Farm	88, 377	Submitted by Parish Council. Shown on 6" O.S. 1924 Edition. Public Path Diversion and Definitive Map and Statement Modification Order Highways Act 1980 Wildlife and Countryside Act 1981 Gloucestershire County Council Public Footpaths GDY 57 (Part) (Parish of Dymock) and GKE 38 (Parish of Kempley) Diversion Order 2023. Width 2.5 metres between points A - D
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IN WITNESS WHEREOF the Gloucestershire County Council have caused their
Common Seal to be hereunto affixed the 19th day of December, two
thousand and twenty three.

THE COMMON SEAL of

GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:-

for



Assistant Director of Legal Services



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