

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

GLOUCESTERSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH MPA 95 (PART)) (PARISH OF PAINSWICK)
DIVERSION ORDER 2024

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 owner of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the footpath 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 applicant has 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 right of way into a fit condition for use by the public.

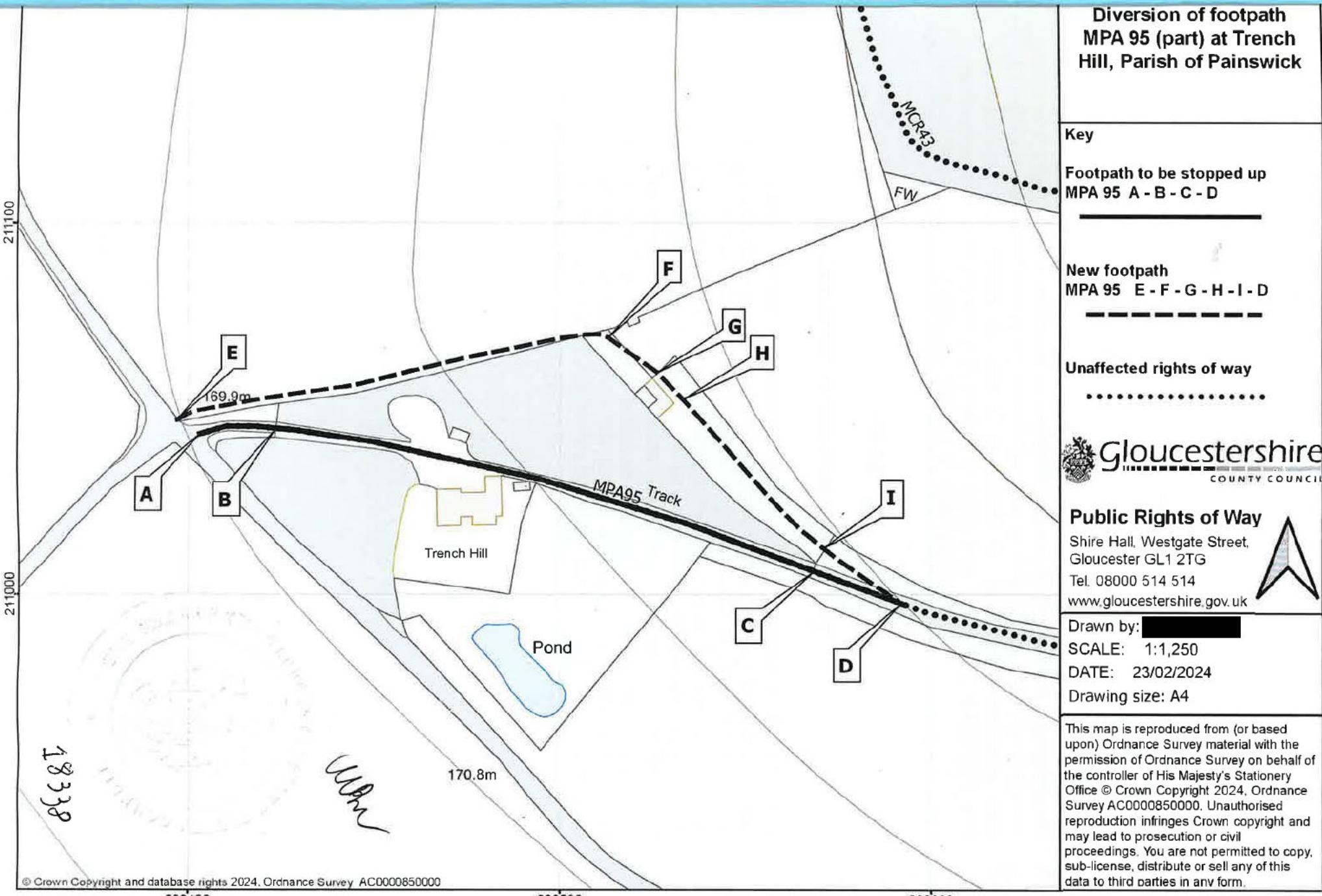
Stroud District Council has been consulted as to the making of the Order as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situate at Trench Hill in the Parish of Painswick, 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 that public right of way.
2. Notwithstanding this Order Statutory Undertakers whose apparatus is under, in, upon, over, along or across the path or way shall have the same powers and rights in respect of their apparatus as if the Order authorising the path or way 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 north of Trench Hill in the Parish of Painswick, 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.



SCHEDULE

Part 1

Description of Site of Existing Path or Way

The entire width of that length of public footpath numbered MPA 95 in the Parish of Painswick that commences at a point marked A at Ordnance Survey Grid Reference (OSGR) SO 8840/1104 on the plan attached to the Order approximately 66 metres west of Trench Hill and proceeds in a generally easterly direction for approximately 21 metres to point B at OSGR SO 8842/1104 then an east southeasterly direction for approximately 150 metres to point C at OSGR SO 8856/1100 continuing east southeasterly for approximately 25 metres to point D at OSGR SO 8859/1099 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 a point marked E at OSGR SO 8839/1104 and proceeds in a generally east northeasterly direction for approximately 119 metres to a point marked F on the Order Plan at OSGR SO 8851/1106 then a generally southeasterly direction for approximately 17 metres to point G at OSGR SO 8852/1105 continuing southeasterly for approximately 10 metres to point H at OSGR SO 8853/1105 then approximately 55 metres to point I at OSGR SO 8857/1101 then a further 25 metres to the said point D and being shown by a bold broken line on the plan attached to this Order and having a width of 3 metres between points E - F a width of 2.5 metres between points F - G - H and 2 metres between points H - I - D.

Part 3**Limitations and Conditions**

- Point E Pedestrian gate compliant with British Standard 5709:2018 at OSGR SO 8839/1104 with a minimum width of 1.1 metres.
- Point F Pedestrian gate compliant with British Standard 5709:2018 at OSGR SO 8851/1106 with a minimum width of 1.1 metres.
- Point G Field gate compliant with British Standard 5709:2018 at OSGR SO 8852/1105 with a minimum width of 1.2 metres.
- Point I Field gate compliant with British Standard 5709:2018 at OSGR SO 8857/1101 with a minimum width of 1.2 metres.

Part 4

Modification of Definitive Statement
Variation of particulars of path or way

MAP NUMBER	CLASS & RIGHT OF WAY	FROM		GENERAL DIRECTION	TO		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
		COUNTY ROAD OR RIGHT OF WAY	LOCATION		COUNTY ROAD OR RIGHT OF WAY	LOCATION		
DELETE THE FOLLOWING ENTRIES:								
2	FP MPA 95	Road 41150	N.E. of Painswick Lodge	E.	BR MPA 119	Lady's Wood	393, 392, 390	Submitted by Parish Council. Not shown as FP on Glos O.S. No. 42 1924 Edition.

ADD THE FOLLOWING ENTRIES:								
2	FP MPA 95	Road 41150 known as Saltridge Hill to Damsells Mill Lane	385 metres northeast of Painswick Lodge	East	Junction of BR MPA 119 and BR MCR 24	N.E. corner of Lord's Wood	394, 392, 390	Submitted by Parish Council. Not shown as FP on Glos O.S. No. 42 1924 Edition Public Path Diversion and Definitive Map And Statement Modification Order Highways Act 1980 Wildlife And Countryside Act 1981 Gloucestershire County Council (Public Footpath MPA 95 (Part)) (Parish of Painswick) Diversion Order 2024. Width 3 metres between points E - F; width 2.5 metres between points F - G - H; width 2 metres between points H - I - D. Limitations: pedestrian gates at points E OSGR SO 8839/1104 and point F OSGR SO 8851/1106; field gates at points G OSGR SO 8852/1105 and I OSGR SO 8857/1101.

IN WITNESS WHEREOF the Gloucestershire County Council have caused their Common Seal to be hereunto affixed the 22nd day of October two thousand and twenty four.

THE COMMON SEAL of

GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:-



CM BONSER

cc/ Assistant Director of Legal Services

18338