

PLANNING

19 MAY 2016

AGENDA ITEM 77.1 REFERS E/1

**Balfour Beatty**



**Herefordshire  
Council**

Working for Herefordshire

Unit 3  
Thorn Business Park  
Rotherwas Industrial Estate  
Hereford  
HR2 6JT

Mrs K Mitchell  
Clerk to Ledbury Town Council  
Town Council Office  
Church Street  
LEDBURY  
HR8 1DH

11<sup>th</sup> May, 2016

Our ref: PROW/D452/LJC

Dear Mrs Mitchell

**PUBLIC PATH DIVERSION ORDER  
HIGHWAYS ACT 1980, SECTION 119  
FOOTPATH LR10 (PART) LEDBURY RURAL**

In accordance with the relevant statutory provisions, I now enclose, for information, copies of the Notice of Confirmation and Certification, Confirmed and Certified Order and Order Plan.

A copy of the Notice of Confirmation and Certification will appear in the Malvern Gazette on 13<sup>th</sup> May, 2016.

Could I please ask you to ensure that your Parish map, normally held by the Parish Paths Officer, is changed accordingly.

Yours sincerely

**Lisa Creed**  
**Assistant Rights of Way Officer**  
[lisa.creed@bblivingplaces.com](mailto:lisa.creed@bblivingplaces.com)  
Tel: 01432 349513

Encs.

**PUBLIC NOTICE**  
**NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER**  
**HIGHWAYS ACT 1980 SECTION 119**  
**HEREFORDSHIRE COUNCIL**  
**PUBLIC FOOTPATH LR10 (PART) LEDBURY RURAL**  
**PUBLIC PATH DIVERSION ORDER 2015**

On 28<sup>th</sup> April, 2016 Herefordshire Council ("the Council") confirmed the above Order under section 119 Highways Act 1980 ("the Act").

The effect of the order, as confirmed, is to divert that part of Public Footpath LR10 in the Parish of Ledbury Rural which commences at County Road C1308 at OS Grid Reference SO 6872, 3770 (point A on the order plan), over a stile and travels in a generally easterly direction for approximately 230 metres through an orchard to OS Grid Reference SO 6894, 3767 (point B on the order plan) then continues in a generally east-north-easterly direction for approximately 149 metres through an orchard and then between farm buildings to OS Grid Reference SO 6908, 3774 (point C on the order plan) where it then turns and continues through a private garden area and then more orchards in a generally east-south-easterly direction for approximately 309 metres to OS Grid Reference SO 6938, 3768 (point D on the order plan). The total length of the existing said footpath is approximately 688 metres

An alternative footpath will be created for use as a replacement, being 2 metres in width, which commences at County Road C1308 at OS Grid Reference SO 6872, 3771 (point E on the order plan) then through a pedestrian gate and travels in a generally easterly direction through orchards along a defined path for approximately 320 metres to OS Grid Reference SO 6904, 3772 (point F on the order plan), then turning and following a surfaced track in a southerly direction for approximately 45 metres to OS Grid Reference SO 6904, 3768 (point G on the order plan), then turning in a generally easterly direction and travelling through a car park to the edge of an orchard for approximately 57 metres to OS Grid Reference SO 6910, 3769 (point H on the order plan) then continuing around the orchard and along a track in a generally east-south-easterly direction for approximately 183 metres to OS Grid Reference SO 6927, 3768 (point I on the order plan) then continuing in a generally easterly direction for approximately 121 metres to OS Grid Reference SO 6938, 3768 (point D on the order plan). The total length of the said proposed new footpath is approximately 726 metres.

A copy of the confirmed order and the order plan have been placed and may be seen free of charge at Ledbury Customer Service Centre, St Katherine's, High Street, Ledbury, HR8 1EA between the hours of 9.30 am - 4.30 pm Monday, Thursday and Friday, 9.30 am - 6.00 pm Tuesday, excluding bank holidays. Copies may be purchased on payment of the copying charges of the Council. Copies are also available on the Council's website at [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk).

Any queries in relation to this order may be discussed with Susan White, Public Rights of Way, Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford, HR2 6JT, on telephone 01432 349512, or by e-mail to [susan.white@bblivingplaces.com](mailto:susan.white@bblivingplaces.com).

The Council confirms and certifies that all the provisions of the order have been satisfied and therefore the diversion takes effect on the above said confirmation date of this order, but, if any person aggrieved by the order desires to question its validity or that of any provision contained in it on the ground that it is not within the powers of the Act, or on the ground that any requirement of that Act, or any regulation made under it has not been complied with in relation to the confirmation of the order, he or she may, under paragraph 2 of Schedule 2 to the Act, as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from the date of publication of this notice, make an application to the High Court.

Dated: 13<sup>th</sup> May, 2016

Geoff Hughes  
Director for Economy, Communities and Corporate

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

HEREFORDSHIRE COUNCIL  
FOOTPATH LR10 (PART) LEDBURY RURAL  
PUBLIC PATH DIVERSION ORDER 2015

This Order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under section 119 of the Highways Act 1980 because it appears to Herefordshire Council that in the interests of the occupier of the land crossed by the footpath described in Part 1 of the Schedule to this order it is expedient that part of the line of the path should be diverted.

Mr Angus Davison, the said occupier, has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and to pay any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

**BY THIS ORDER:**

1. The public right of way over the land situated at Redbank, Little Marcle Road in the Parish of Ledbury Rural and shown by a bold continuous line on the plan contained in this order and described in Part 1 of the said Schedule shall be stopped up in accordance with the provisions of Article 3 below.
2. There shall be created to the reasonable satisfaction of Herefordshire Council and in accordance with Article 3 below an alternative public footpath over the land situated at Redbank, Little Marcle Road in the Parish of Ledbury Rural described in Part 2 of the Schedule hereto and shown by a bold broken line on the said plan.
3. The said diversion of the footpath shall have effect on the date Herefordshire Council certifies that the terms of Article 2 and 4 herein have been satisfied.
4. The following works shall be carried out in relation to the new highway described in Part 2 of the Schedule hereto.
  - Waymarking as appropriate.
  - Installation of pedestrian gate at OS Grid Reference SO 6872,3771 (point E on the order plan)
5. Where immediately before the date on which the said footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of their undertakings, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
6. 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 hereto.

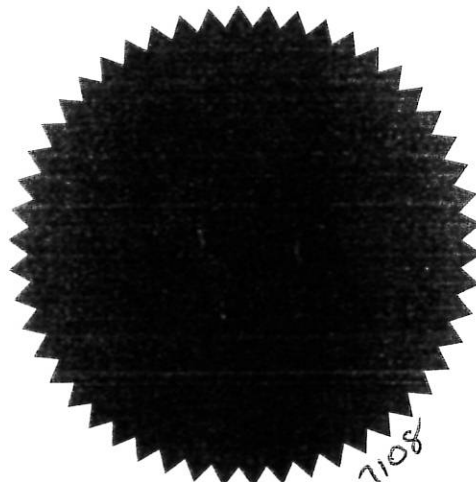
Dated 18<sup>th</sup> November

2015

THE COMMON SEAL of the County of  
Herefordshire District Council was affixed  
BY ORDER

)  
)  
)

  
Authorised Officer



## **SCHEDULE**

### **PART 1**

#### **Description of Site of Existing Path or Way**

The existing route of footpath LR10 commences at County Road C1308 at OS Grid Reference SO 6872, 3770 (point A on the order plan), over a stile and travels in a generally easterly direction for approximately 230 metres through an orchard to OS Grid Reference SO 6894, 3767 (point B on the order plan) then continues in a generally east-north-easterly direction for approximately 149 metres through an orchard and then between farm buildings to OS Grid Reference SO 6908, 3774 (point C on the order plan) where it then turns and continues through a private garden area and then more orchards in a generally east-south-easterly direction for approximately 309 metres to OS Grid Reference SO 6938, 3768 (point D on the order plan).

The total length of the existing said footpath is approximately 688 metres.

### **PART 2**

#### **Description of Site of New Path or Way**

The proposed new route of footpath LR10 being 2 metres in width commences at County Road C1308 at OS Grid Reference SO 6872, 3771 (point E on the order plan) then through a pedestrian gate and travels in a generally easterly direction through orchards along a defined path for approximately 320 metres to OS Grid Reference SO 6904, 3772 (point F on the order plan), then turning and following a surfaced track in a southerly direction for approximately 45 metres to OS Grid Reference SO 6904, 3768 (point G on the order plan), then turning in a generally easterly direction and travelling through a car park to the edge of an orchard for approximately 57 metres to OS Grid Reference SO 6910, 3769 (point H on the order plan) then continuing around the orchard and along a track in a generally east-south-easterly direction for approximately 183 metres to OS Grid Reference SO 6927, 3768 (point I on the order plan) then continuing in a generally easterly direction for approximately 121 metres to OS Grid Reference SO 6938, 3768 (point D on the order plan).

The total length of the said proposed new footpath is approximately 726 metres.

### **PART 3**

#### **Limitations and Conditions**

##### **Position on Path to which Limitations and Conditions apply**

OS Grid Reference SO 6872, 3771  
(point E on the order plan)

##### **Limitations and Conditions**

Pedestrian gate to BS5709:2006

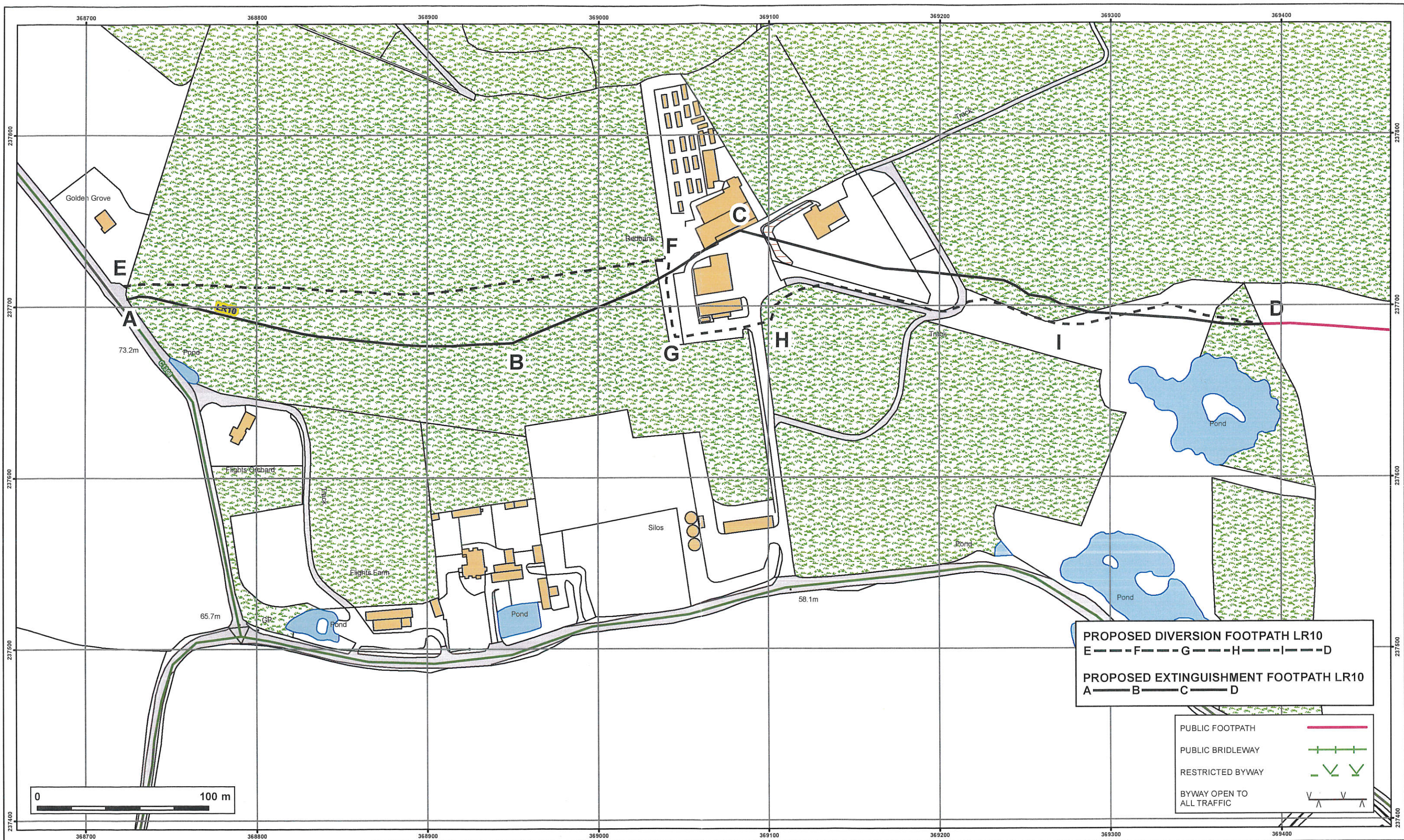
**It is hereby confirmed and certified that all the provisions of this Order have been satisfied**

**Authorised Officer:**

**Date:**

28/4/16





**PROPOSED DIVERSION FOOTPATH LR10**  
 E --- F --- G --- H --- I --- D

**PROPOSED EXTINGUISHMENT FOOTPATH LR10**  
 A --- B --- C --- D

PUBLIC FOOTPATH  
 PUBLIC BRIDLEWAY  
 RESTRICTED BYWAY  
 BYWAY OPEN TO ALL TRAFFIC



**Highways Act 1980, Section 119**  
**Herefordshire Council Public Footpath LR10 (part)**  
**Parish of Ledbury Rural**  
**Public Path Diversion Order 2015**

**DWG No.: D452/221-10**  
**SCALE 1:2,000 @ A3**

Baldour Beatty Living Places  
 Unit 3, Thorn Business Park  
 Rotherwas Industrial Estate  
 Hereford  
 HR2 6JT