

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

**HEREFORDSHIRE COUNCIL
FOOTPATHS LO6 (PART) LLANROTHAL AND GW27A (PART) GARWAY
PUBLIC PATH DIVERSION ORDER 2017**

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 owner and occupier of the land crossed by the footpaths described in Part 1 of the Schedule to this Order it is expedient that part of the line of the paths should be diverted.

Mr David C Breakwell, the said owner, 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 Hazelfield Farm in the Parishes of Llanrothal and Garway 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 Hazelfield Farm in the Parishes of Llanrothal and Garway 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 herein have been satisfied and shall be concurrent with the confirmation of the County of Herefordshire District Council Footpath LO3 (Part) Llanrothal Public Path Extinguishment Order 2017.
4. 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.
5. 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 2017

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 LO6 commences at OS Grid Reference SO 4777, 1904 (point A on the order plan) and travels in a generally east-south-easterly direction through fields and past Trythel Barn for approximately 317 metres to OS Grid Reference SO 4807, 1894 (point B on the order plan) where it passes through a field gate and continues in an east-north-easterly direction for approximately 34 metres to join footpath LO3 at OS Grid Reference SO 4811, 1895 (point C on the order plan) and continues past a barn and a further field gate and a stile in a generally north-easterly for approximately 386 metres to a stream at OS Grid Reference SO 4832,1924 (point D on the order plan) which is also the parish boundary. It then continues as footpath GW27A in a generally northerly direction for approximately 253 metres to County Road C1239 at OS Grid Reference SO 4835, 1946 (point E on the order plan).

The total length of the existing said footpath is approximately 990 metres.

PART 2

Description of Site of New Path or Way

The proposed new route of footpath LO6 being 2 metres in width commences at OS Grid Reference SO 4777, 1904 (point A on the order plan) and travels in a generally south-easterly direction for approximately 69 metres to a field gate at OS Grid Reference SO 4782, 1899 (point F on the order plan) then continuing in a generally east-south-easterly direction for approximately 204 metres up the valley to OS Grid Reference SO 4797, 1888 (point G on the order plan) where it crosses existing footpath LO3, then continues in a generally south-easterly direction for approximately 257 metres to OS Grid Reference SO 4819, 1875 (point H on the order plan) and then turning and continuing in a generally north-north-easterly direction for approximately 130 metres to OS Grid Reference SO 4824, 1886 (point I in the order plan) where it passes through a field gate, then continues in a generally north-north-easterly direction adjacent to the edge of the woodland for approximately 202 metres to OS Grid Reference SO 4835, 1902 (point J on the order plan). It then turns and continues in a generally north-north-easterly direction for approximately 283 metres to join footpath LO1 at OS Grid Reference SO 4844, 1929 (point K on the order plan).

The total length of the said proposed new footpath is approximately 1145 metres.

PART 3

Limitations and Conditions

Position on Path to which Limitations and Conditions apply	Limitations and Conditions
OS Grid reference SO 4782, 1899 (point F on the order plan)	Field gate to BS5709:2006
OS Grid reference SO 4824, 1886 (point I on the order plan)	Field gate to BS5709:2006
OS Grid reference SO 4844, 1929 (point K on the order plan)	Field gate to BS5709:2006