

WARWICK DISTRICT COUNCIL
PUBLIC PATH DIVERSION ORDER

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 AND PARAGRAPH 1
OF SCHEDULE 14**

WARWICK DISTRICT COUNCIL (PUBLIC FOOTPATH NO. W137 (PART)
CUBBINGTON) PUBLIC PATH DIVERSION ORDER 2021 (Order)

WARWICK DISTRICT COUNCIL (Council) makes this order in exercise of its powers under section 257 of the Town and Country Planning Act 1990 (TCPA 1990) because it is satisfied that it is necessary to divert the footpath to which the Order relates to enable the development described below to be carried out in accordance with the planning permission granted under Part III of the TCPA 1990 to Bellway Homes South Midlands Limited, 1120 Elliott Court, Coventry Business Park, Coventry CV5 6UB by the Council on 29th March 2019 under reference W/17/2371.

BY THIS ORDER:

1. Public Footpath W137 shown by the continuous black line over the land on the Plan and described in Part 1 of **THE SCHEDULE** to this Order ("the Schedule") shall be stopped up as provided below.
2. There shall be created to the reasonable satisfaction of the Council an alternative Footpath for use as a replacement for Public Footpath W137 (Part of) as provided in Part 2 of **THE SCHEDULE** shown by a broken black line on the Plan. The surface of the Public Footpath will be tarmac. The Footpath will be 2 metres wide.
3. Where immediately before the date of this order any apparatus of statutory undertakers lies under, in, on, over along or across any length of highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the TCPA 1990, those undertakers shall have the same rights in relation to that apparatus after the area is stopped up as they had immediately before.
4. The applicant Bellway Homes South Midlands Limited (and successors in title), is hereby required to implement and pay the full costs of carrying out the said works as detailed in this Order.
5. This Order shall come into force on the date on which it is certified by the Council that the terms of Article 1 and 2 above have been complied with. The Order may be cited as 'Warwick District Council (Public Footpath No. W137 (PART) Cubbington) Public Path Diversion Order 2021'

THE SCHEDULE

Part 1

Description of existing Footpath

Between points C – A on the Order Plan

From point C (Grid Reference: SP 34109 69007) south easterly for approx. 348 metres to point A (Grid Reference: SP 34235 68703)

Part 2

Description of site of New Footpath

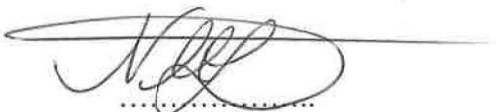
Between points C – B – A on the Order Plan

Diversion to the location as shown on the Plan as a broken black line from point C (Grid Reference: SP 34109 69007) south westerly for approx. 30 metres to point B (Grid Reference: SP 34104 68982) turning south easterly for approx. 324 metres to point A (Grid Reference: SP 34235 68703)

Made: 8th June 2021

The Common Seal of WARWICK DISTRICT COUNCIL

Was hereto affixed in the presence of:



Authorised Signatory



PLAN

C

77



Drawing Key

Existing PROW

A-C = 348m

Proposed PROW diversion

A-B = 315m
B-C = 39m

A-B-C = 354m

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Dimensions to be checked on site before work commences and any discrepancies reported to the Architect.

The accuracy of this drawing may be relied upon survey information provided by third parties. No liability will be accepted by West Waddy ADP for errors in or arising from such third party survey information.

PLANNING

Land off Rugby Rd
Cublington

PROPOSED PROW
DIVERSION PLAN

Job 863 Dwg. No. P003 Rev. A

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Abingdon, Oxfordshire, OX14 5EB
Tel (01235) 523139
Fax (01235) 521662
e-mail: enquiries@westwaddyadp.co.uk

westwaddyADP

Date August 2019

Scale 1:1250 @A3

Drawn JH Checked MP

Rev A 05/05/2021 Proposed route now shown dashed black

JH Initials MP checked

DATED 8th June 2021

WARWICK DISTRICT COUNCIL

WARWICK DISTRICT COUNCIL (PUBLIC
FOOTPATH NO. 137(PART) CUBBINGTON)
PUBLIC PATH DIVERSION ORDER 2021