

**NOTICE OF CONFIRMATION OF AN ORDER**

**HIGHWAYS ACT 1980**

**WARWICKSHIRE COUNTY COUNCIL**

**(PART OF PUBLIC FOOTPATHS SM138 AND SM138B, FENNY COMPTON)**  
**PUBLIC PATH DIVERSION ORDER 2018**

On 15 May 2018 Warwickshire County Council confirmed the above Order made under section 119 of the Highways Act 1980.

The effect of the Order as confirmed is to **DIVERT** that section of SM138 from Point A (grid reference 44234 25334), running north east for approximately 210 metres to Point B (grid reference 44249 25348), then generally North northeast for approximately 70 metres to Point Y **TO A LINE** from Point A running generally east north east for approximately 152 metres to Point D (grid reference 44247 25342), then generally North northwest for approximately 45 metres to Point X (grid reference 44245 25346), then general north east for approximately 125 metres to Point Y (grid reference 44252 25355) as shown on the Order Plan. **DIVERT** that section of SM138B from Point B (grid reference 44249 25348), running generally South southeast for approximately 115 metres to Point F (grid reference 44251 25337) **TO A LINE** from Point F (grid reference 44251 25337) running generally North northwest for approximately 68 metres to Point D (grid reference 44247 25342) as shown on the Order Plan. The new routes shall have a width of 2 metres.

A copy of the Confirmed Order and the Order Plan have been placed and may be seen free of charge at the offices of Warwickshire County Council, Shire Hall, Market Square, Warwick CV34 4SA from 8am - 5.30pm on weekdays, (5pm Fridays) and 9am - 4pm Saturdays. A copy of the Order and Order Plan may be bought there at the price of £5.77. Copies may also be inspected at the offices of the Stratford upon Avon District Council, Elizabeth House, Church Street, Stratford upon Avon CV37 6HX from 8.45am to 5.15pm Monday to Wednesday and from 8.45am to 5.00pm Thursday to Friday and online at [www.warwickshire.gov.uk/pathorders](http://www.warwickshire.gov.uk/pathorders).

The Order comes into force on 14 July 2018, but if a person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that any requirement of the Act, as amended, or if any regulation made under the Act has not been complied with in relation to 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 17 May 2018 make an application to the High Court.

Dated 15 May 2018

Sarah Duxbury, Head of Law and Governance, Shire Hall, Warwick

# **PUBLIC PATH DIVERSION ORDER**

## **HIGHWAYS ACT 1980**

### **WARWICKSHIRE COUNTY COUNCIL**

#### **(PART OF PUBLIC FOOTPATHS SM138 AND SM138B, FENNY COMPTON) PUBLIC PATH DIVERSION ORDER 2018**

This Order is made by Warwickshire 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 occupier of the land crossed by the footpaths described in paragraph 1 of this Order it is expedient that the line of the path should be diverted.

**Mr R Hughes** of Waylands Farm, Fenny Compton has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Stratford-on-Avon District Council has been consulted as required by section 120(2) of the 1980 Act;

#### **BY THIS ORDER:**

1. The public right of way over the land situate at **Fenny Compton** and shown by a bold continuous line on the plan numbered P2012/003G contained in this Order ('the Order Plan') and described in Part 1 of the Schedule to this Order shall be stopped up after 60 days from the date of confirmation of this Order.
2. There shall at the end of 60 days from the date of confirmation of this Order be public footpaths over the land situate at **Fenny Compton** described in Part 2 of the Schedule and shown by bold broken lines on the Order Plan.
3. 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**

##### **Between Points A-B and Y on the Order Plan**

That section of SM138 from Point A (grid reference 44234 25334), running north east for approximately 210 metres to Point B (grid reference 44249 25348), then generally north north east for approximately 70 metres to Point Y (grid reference 44252 25355) as shown on the Order Plan.

##### **Between Points B and F on the Order Plan**

That section of SM138B from Point B (grid reference 44249 25348), running generally south south east for approximately 115 metres to Point F (grid reference 44251 25337) as shown on the Order Plan.

**PART 2**  
**DESCRIPTION OF SITE OF NEW PATH OR WAY**

**Between Points A-D-X and Y on the Order Plan**

From Point A (grid reference 44234 25334) Public Footpath SM138 will run generally east north east for approximately 152 metres to Point D (grid reference 44247 25342); then generally north north west for approximately 45 metres to Point X (grid reference 44245 25346), then general north east for approximately 125 metres to Point Y (grid reference 44252 25355) as shown on the Order Plan.

The new route shall have a width of 2 metres.

**Between Points F and D on the Order Plan**

From Point F (grid reference 44251 25337) Public Footpath SM138B will run generally north north west for approximately 68 metres to Point D (grid reference 44247 25342) as shown on the Order Plan.

The new route shall have a width of 2 metres.

**PART 3**  
**LIMITATIONS AND CONDITIONS**

There are no limitations or conditions.

GIVEN under the Seal of the Council this 13<sup>th</sup> day of February 2018.

The COMMON SEAL of the )  
Warwickshire County Council )  
was hereunto affixed in )  
the presence of:- )

**Designated Officer.**

*H. B. Howard*



109/1

*K. W. W.*

The Warwickshire County Council in pursuance to their powers under Section 119 of the Highways Act 1980 hereby confirm the Order as an unopposed Order.

GIVEN under seal of the County Council this 15<sup>th</sup> day of May 2018

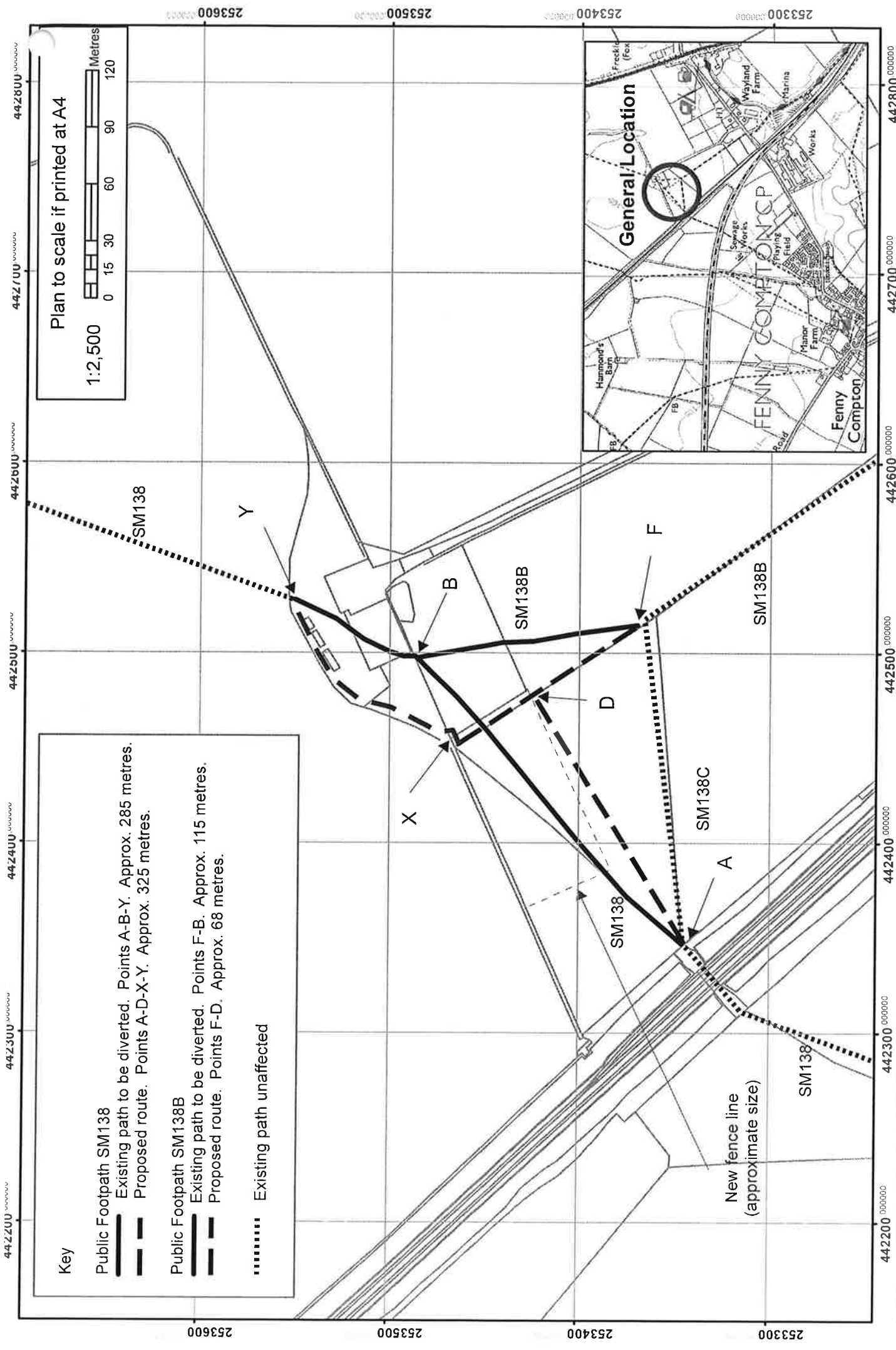
The COMMON SEAL of the Warwickshire County Council was hereunto affixed in the presence of :-

**Designated Officer**

*H. B. Howard*



519-18



**Key**

Public Footpath SM138

- Existing path to be diverted. Points A-B-Y. Approx. 285 metres.
- Proposed route. Points A-D-X-Y. Approx. 325 metres.

Public Footpath SM138B

- Existing path to be diverted. Points F-B. Approx. 115 metres.
- Proposed route. Points F-D. Approx. 68 metres.

..... Existing path unaffected

DATED 13 February 2018

HIGHWAYS ACT 1980

WARWICKSHIRE COUNTY COUNCIL

DUPLICATE

THE WARWICKSHIRE COUNTY COUNCIL  
(PART OF PUBLIC FOOTPATHS SM138 AND SM138B,  
FENNY COMPTON) PUBLIC PATH DIVERSION ORDER 2018