

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. AK-537 (PART) ALFRICK) PUBLIC
PATH DIVERSION ORDER 2018

This order is made by Malvern Hills District Council ("The Authority") under section 257 of the Town and Country Planning Act 1990 ("The 1990 Act") because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely the construction of 14 new dwellings on land adjacent to Chapel Meadow, Alfrick. (Planning application no. 13/01157/OUT and 16/00827/REM).

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ('the Schedule') shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Malvern Hills District Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Malvern Hills District Council certify that the terms of Article 2 have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule namely the provision of a path 2 metres wide with a tarmac surface.
5. Kendrick Homes Ltd. is hereby required to pay the cost of carrying out the said works.
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of Existing Path or Way

That length and the whole width of public footpath no. AK-537, Alfrick, running from point A, Ordnance Survey "OS" OS grid reference SO 75051 52989, in an east-north-easterly direction for 61 metres to point B, OS grid reference SO 75108 53011, the north-eastern end of footpath AK-537.

PART 2

Description of Site of Alternative Highway

A length of public footpath at a width of 2 metres running from point A, OS grid reference SO 75051 52989, in an east-north-easterly turning north-north-westerly direction on the footway for 61 metres to point C, OS grid reference SO 75091, 53017, a point on the public highway.

Information withheld under Data Protection Act 1998

GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this

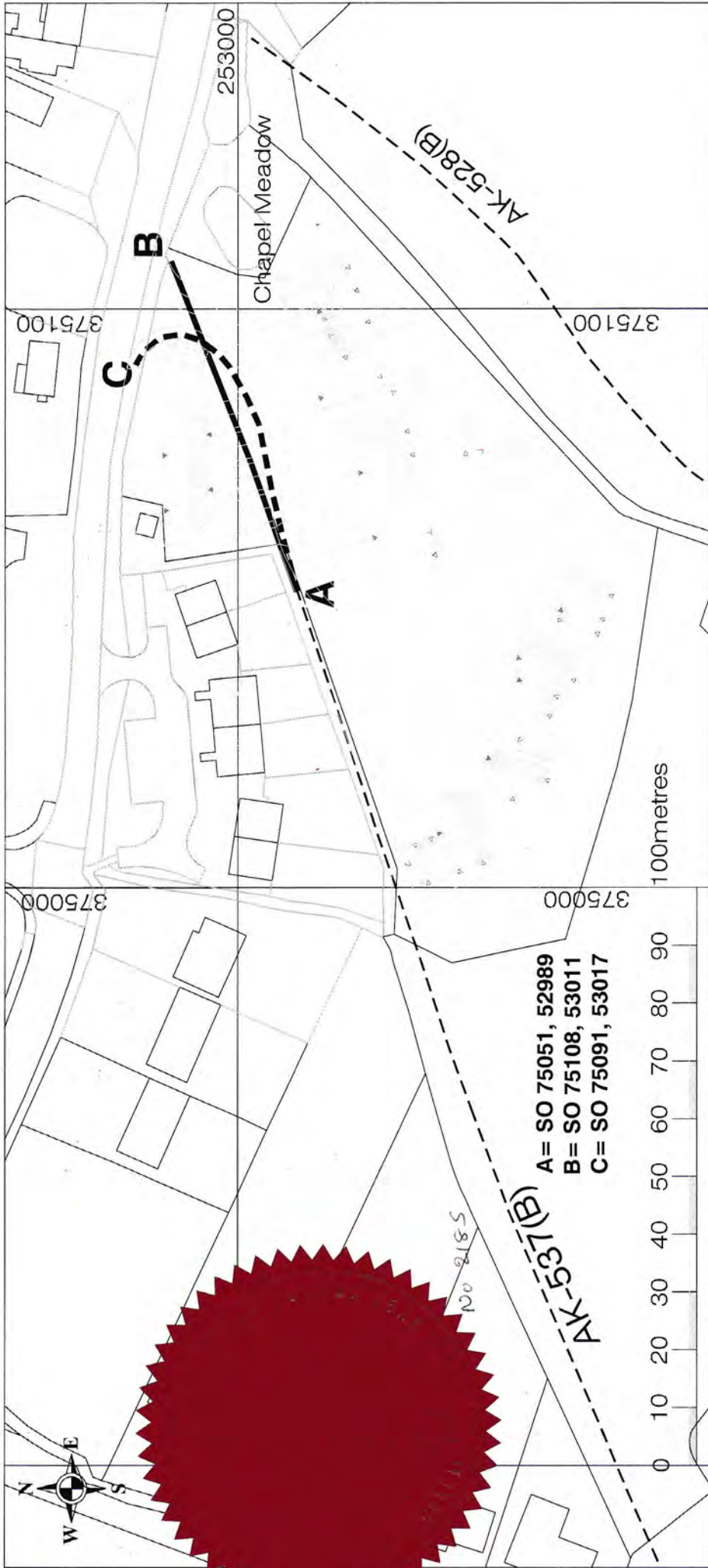
5th day of July

2018 in the presence of:

No. In deeds register



No 2185



A = SO 75051, 52989
 B = SO 75108, 53011
 C = SO 75091, 53017

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SCALE 1:1000 @ A4

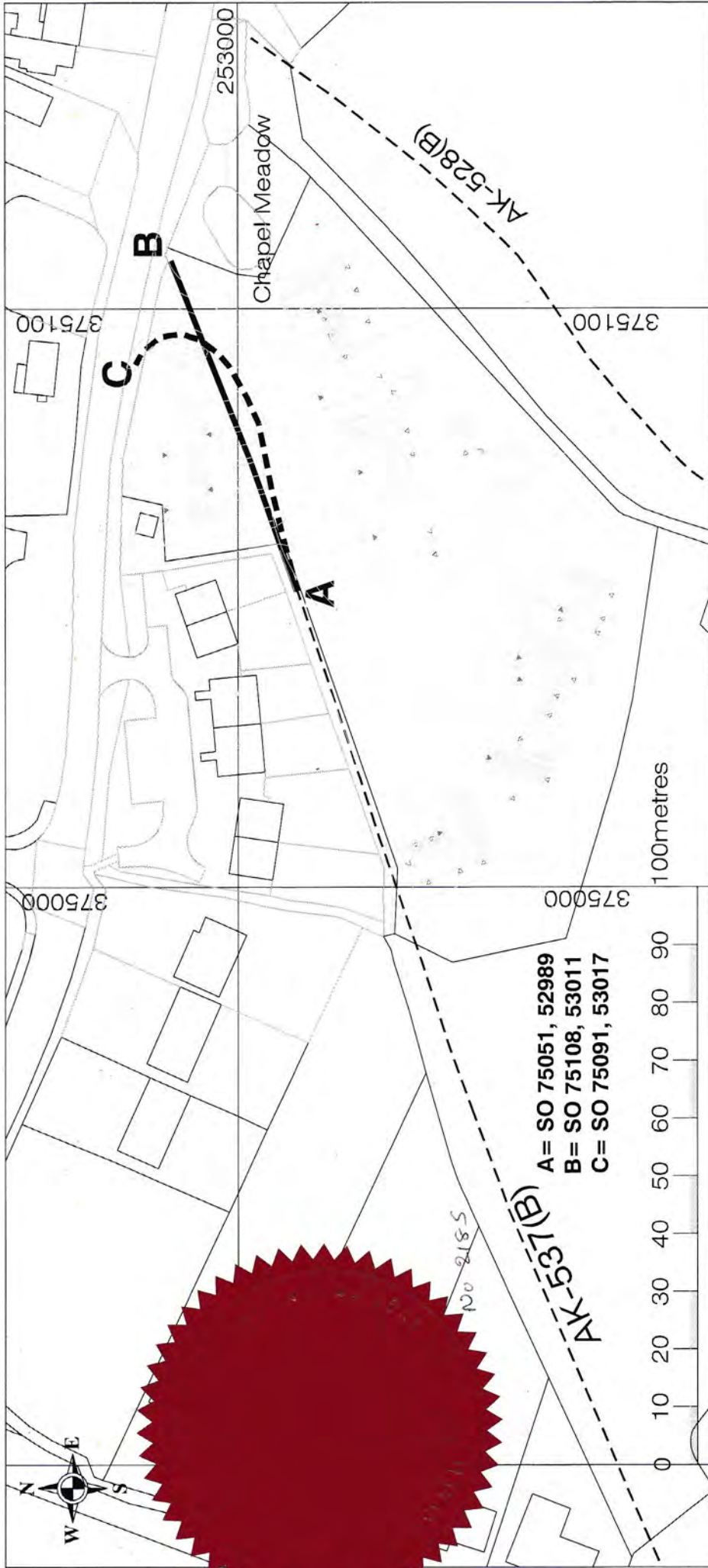


Malvern Hills District Council
 Town & Country Planning Act 1990 S.257,
 Public Footpath Nos. AK-537 (part), Parish of Alfrick
 Public Path Diversion Order 2018

Information withheld under Data Protection

- Footpath to be diverted A ——— B
- Alternative Footpath A - - - - - C
- Existing Footpath Unaffected - - - - -





A = SO 75051, 52989
 B = SO 75108, 53011
 C = SO 75091, 53017

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SCALE 1:1000 @ A4



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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. AK-537 (PART) ALFRICK) PUBLIC
PATH DIVERSION ORDER 2018

The above Order is hereby **CONFIRMED**

Dated this 4th day of October 2018

Information withheld
under Data Protection
Act 1998

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Legal Services Manager

Malvern Hills District Council,
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Malvern,
Worcestershire.
WR14 3AF