

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 AND
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)**

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(FOOTPATH 54 HANSLOPE (PART)) PUBLIC PATH DIVERSION
ORDER 2021**

This Order is made by the Council of the Borough of Milton Keynes under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert that part of the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission reference 16/02106/OUT and 17/03385/REM granted under Part III of the Town and Country Planning Act 1990, namely the planned residential development of up to 150 dwellings, estate road, open space and associated works on land off Castlethorpe Road, Hanslope.

This Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) because it appears to the authority that the Definitive Map and Statement for Milton Keynes require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath over the land shown by bold black lines on the attached map and described in Part 1 of the Schedule to this Order (‘the Schedule’) shall be diverted as provided below and the Definitive Map and Statement for Milton Keynes shall be modified.
2. There shall be created to the reasonable satisfaction of the Council of the Borough of Milton Keynes an alternative highway for use as a replacement for the said section of 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 Milton Keynes Council certify that the terms of Article 2 above have been complied with and upon the occurrence of that diversion the Definitive map for Milton Keynes shall be modified by deleting from it the path or way referred to in Article 1 of this Order and the path or way referred to in Article 2 of this Order shall be added to it and the definitive statement shall be modified as described in Part 3 of the Schedule
4. 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 site of existing path or way

From point A at OS Grid Reference SP 79986 47051 in a general north north-westerly direction for approximately 85 metres to point B at OS Grid Reference SP 79946 47127 at the junction with Hanslope Footpath 76 with a width of 1.5 metres throughout as indicated by the points stated above on the Order map by a bold black line.

PART 2

Description of site of alternative highway

From point A at OS Grid Reference SP 79986 47051 in a general west south-westerly direction for approximately 53 metres to point C at OS Grid Reference SP 79941 47022 at a junction of Hanslope Footpath 1 as indicated by the points stated above on the Order map by bold black dashed lines.

The alternative way will have a length of approximately 53 metres and a width of 2 metres throughout.

PART 3

Modification of Definitive Statement Variation of Particulars of Path or Way

Footpath 54, Hanslope

Add:-

From: SP 80089 46870

To: SP 79941 47022

From 2 Castlethorpe Road, Hanslope north north-west for approximately 208 metres. Then west south-westerly for approximately 53 metres to its junction with Hanslope Footpath 1

Width: 2 metres throughout

GIVEN under the **Common Seal** of the
Council of the Borough of Milton Keynes.
Dated this 25 day of *May*.....2021.



243811 .

Janet Kealey

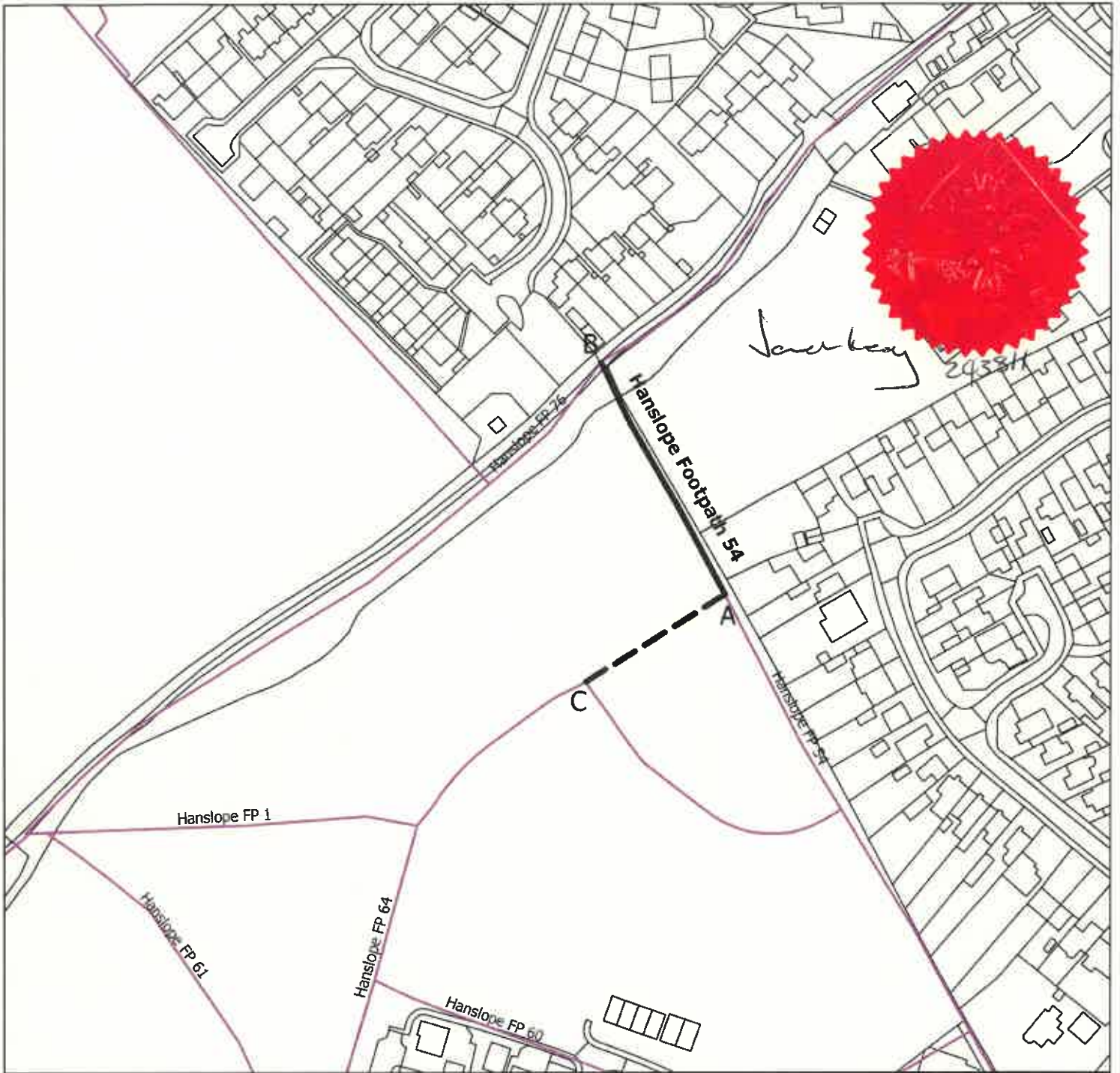
.....
Authorised Signatory

JANET KEALEY
Head of Service
Legal Department

This Order was confirmed by the Council
without modification on the 23 September 2021
as an unopposed Order under the delegated
authority of the Rights of Way Officer
dated 30 July 2021

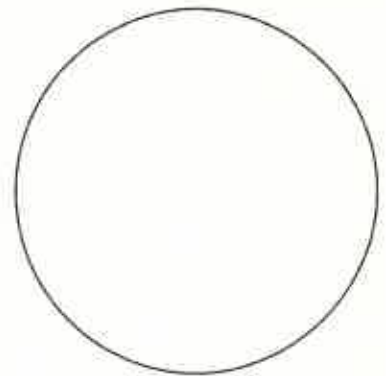
Sharon Bridgalsingh

Sharon Bridgalsingh
Director - Law & Governance



Map referred to in the Council of the Borough of Milton Keynes (Footpath 54, Hanslope (part)), Public Path Diversion Order 2021

The common seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of: *JANET KEALEY*



HEAD OF LEGAL SERVICES

Key:	 A B	Proposed Extinguished
	 A C	Proposed Diversion
		Unaffected Public Footpath



Scale 1:1800
@A4P



Plan by: Ken Farrier

04/01/2021

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Ref: ROW