

**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 (BOW
BRICKHILL FOOTPATH 4 (PART), BOW BRICKHILL FOOTPATH 4A,
BOW BRICKHILL FOOTPATH 4B) PUBLIC PATH DIVERSION
ORDER 2022**

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 those parts of the footpaths to which this Order relates in order to enable development to be carried out in accordance with planning permission reference 19/01818/OUT, granted under Part III of the Town and Country Planning Act 1990, namely the development of land at Brickhill Street, South Caldecotte, Milton Keynes MK17 9FE.

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 Bow Brickhill Footpath 4 over the land shown by a bold black continuous line on the attached map and described in Part 1(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(1) of the Schedule and shown by bold black dashes on the attached map.

3. The Bow Brickhill Footpath 4A over the land shown by a bold black continuous line on the attached map and described in Part 1(2) 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.
4. 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(2) of the Schedule and shown by bold black dashes on the attached map.
5. The Bow Brickhill Footpath 4B over the land shown by a bold black continuous line on the attached map and described in Part 1(3) 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.
6. 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(3) of the Schedule and shown by bold black dashes on the attached map.
7. The diversion of the footpaths shall have effect on the date on which Milton Keynes Council certifies that the terms of Article 2, 4 and 6 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, 3 and 5 of this Order and the path or way referred to in Article 2, 4 and 6 of this Order shall be added to it and the definitive statement shall be modified as described in Part 3 of the Schedule
8. Where immediately before the date on which the footpaths are 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

(1) Existing Bow Brickhill Footpath 4

From point A (OS Grid Reference SP88890 34412) in a generally west north westerly direction for a distance of approximately 534 metres to point B (OS Grid Reference SP89378 34631).

The existing path has a length of approximately 534 metres and a width of 1.5 metres throughout and is indicated by the points stated above on the Order map by a bold black continuous line.

(2) Existing Bow Brickhill Footpath 4A

From point B (OS Grid Reference SP89378 34631) in generally west north westerly direction for a distance of approximately 251 metres to point C (OS Grid Reference SP89619 34695).

The existing path has a length of approximately 251 metres and a width of 1 metre throughout and is indicated by the points stated above on the Order map by a bold black continuous line.

(3) Existing Bow Brickhill Footpath 4B

From point B (OS Grid Reference SP89378 34631) in generally south westerly direction for a distance of approximately 222 metres to point D (OS Grid Reference SP 89602 34612).

The existing path has a length of approximately 222 metres and a width of 1 metre throughout as is indicated by the points stated above on the Order map by a bold black continuous line.

PART 2

Description of site of alternative highway

(1) Alternative Bow Brickhill Footpath 4

From point A (OS Grid Reference SP 88890 34412) in a generally south easterly direction for approximately 10 metres until point E (OS Grid Reference SP88895 34404), then in generally north easterly direction for 550 metres until point F (OS Grid Reference SP 89392 34630).

The alternative way will travel upon a hard surface and have a length of approximately 560 metres and a width of 3 metres throughout as indicated by the points stated above on the Order map by bold black dashed lines.

(2) Alternative Bow Brickhill Footpath 4A

From point F (OS Grid Reference SP 89392 34630) in a generally north easterly direction for approximately 157 metres until point G (OS Grid Reference SP 89535 34695), then in a generally easterly direction for approximately 68 metres to point H (OS Grid Reference SP 89604 34699), then in a generally east south easterly direction for approximately 16 metres to terminate at point C (OS Grid Reference SP 89619 34695).

The alternative way will travel upon a hard surface and will have a length of approximately 241 metres and a width of 3 metres throughout as indicated by the points stated above on the Order map by bold black dashed lines.

(3) Alternative Bow Brickhill Footpath 4B

From point D (OS Grid Reference 89602 34612) in a generally northerly direction for approximately 88 metres until point H (OS Grid Reference 89604 34699).

The alternative way will travel upon a grass surface alongside a redway and will have a length of approximately 88 metres and a width of 1.8 metres throughout as indicated by the points stated above on the Order map by bold black dashed lines.

PART 3

Modification of Definitive Statement Variation of Particulars of Path or Way

MODIFICATION OF DEFINITIVE STATEMENT

Please note these affected Rights of Way are currently only recorded on the Definitive Map, and not the Definitive Statement.

Bow Brickhill Footpath 4

Add:

From: SP 88641 34008 To: SP 89392 34630

From junction with Belvedere Lane, generally north easterly with deviations passing under the railway line and A5 carriageway for approximately 520 metres before travelling easterly with deviation for approximately 226 metres to pass through railway underpass. Travels approximately 550 metres north easterly before terminating at junction with Bow Brickhill footpath 4A.

Width: 3 metres between SP 88890 34412 and SP 89392 34630.

Bow Brickhill Footpath 4A

Add:

From: SP 89392 34630 To: SP 89619 34695

From junction with Bow Brickhill Footpath 4. Generally travelling north easterly and then easterly for approximately 241 metres to terminate at junction at Brickhill Road.

Width: 3 metres throughout.

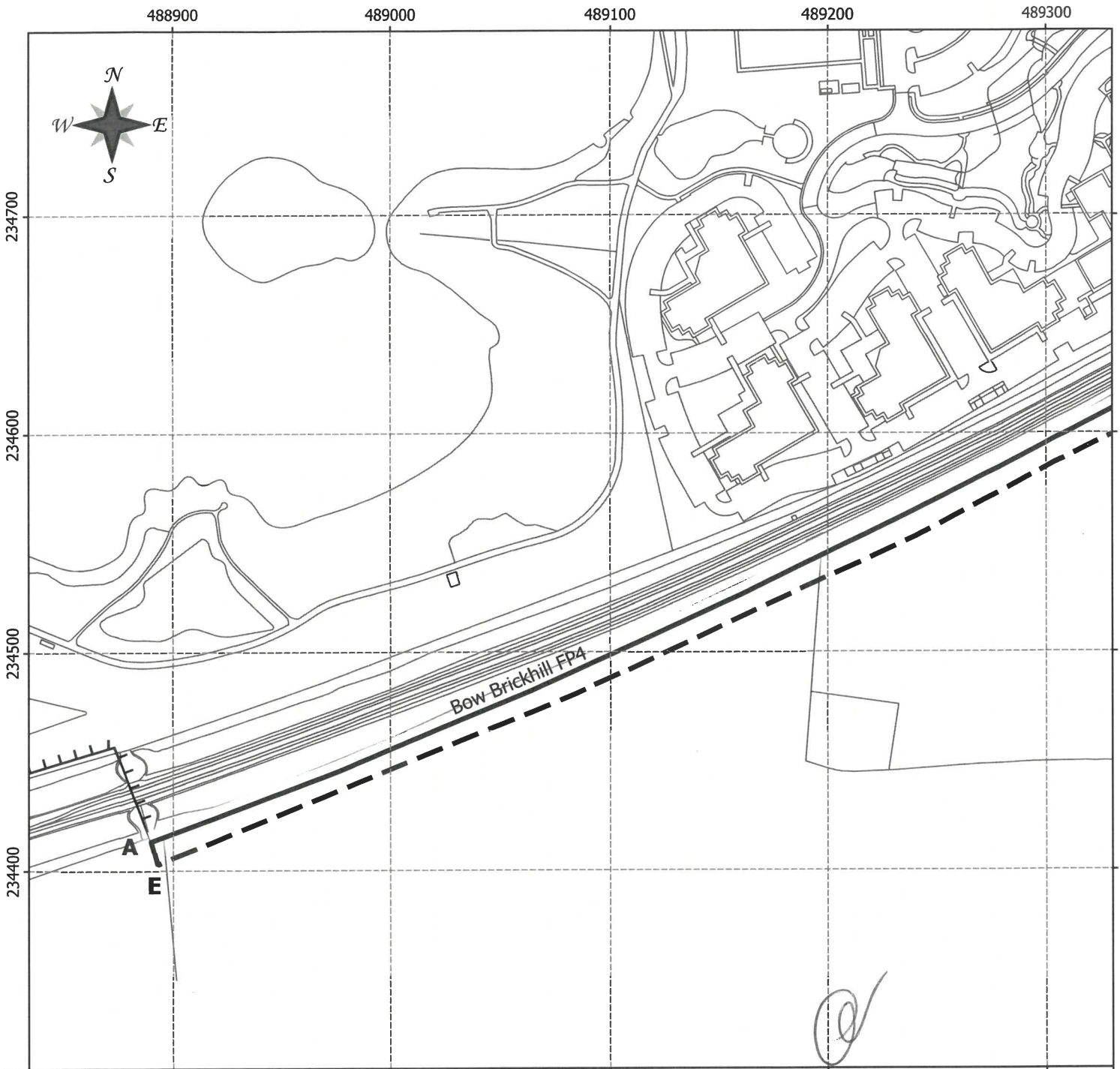
Bow Brickhill Footpath 4B

Add:

From: SP 89602 34612 To: SP 89604 34699

From junction with Brickhill road generally travelling in a northerly direction for approximately 88 metres to terminate at junction with Bow Brickhill Footpath 4.

Width: 1.8 metres throughout



Map 1 of 2 referred to in the Council of the Borough of Milton Keynes (Bow Brickhill Footpath 4, 4A, 4B (part)), Public Path Diversion Order 2022

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



AUTHORISED SIGNATORY

Key:  A-B, B-C, B-D Proposed Extinguished
 A-E, F-G-H-C, D-H Proposed Diversion
 Unaffected Public Footpath

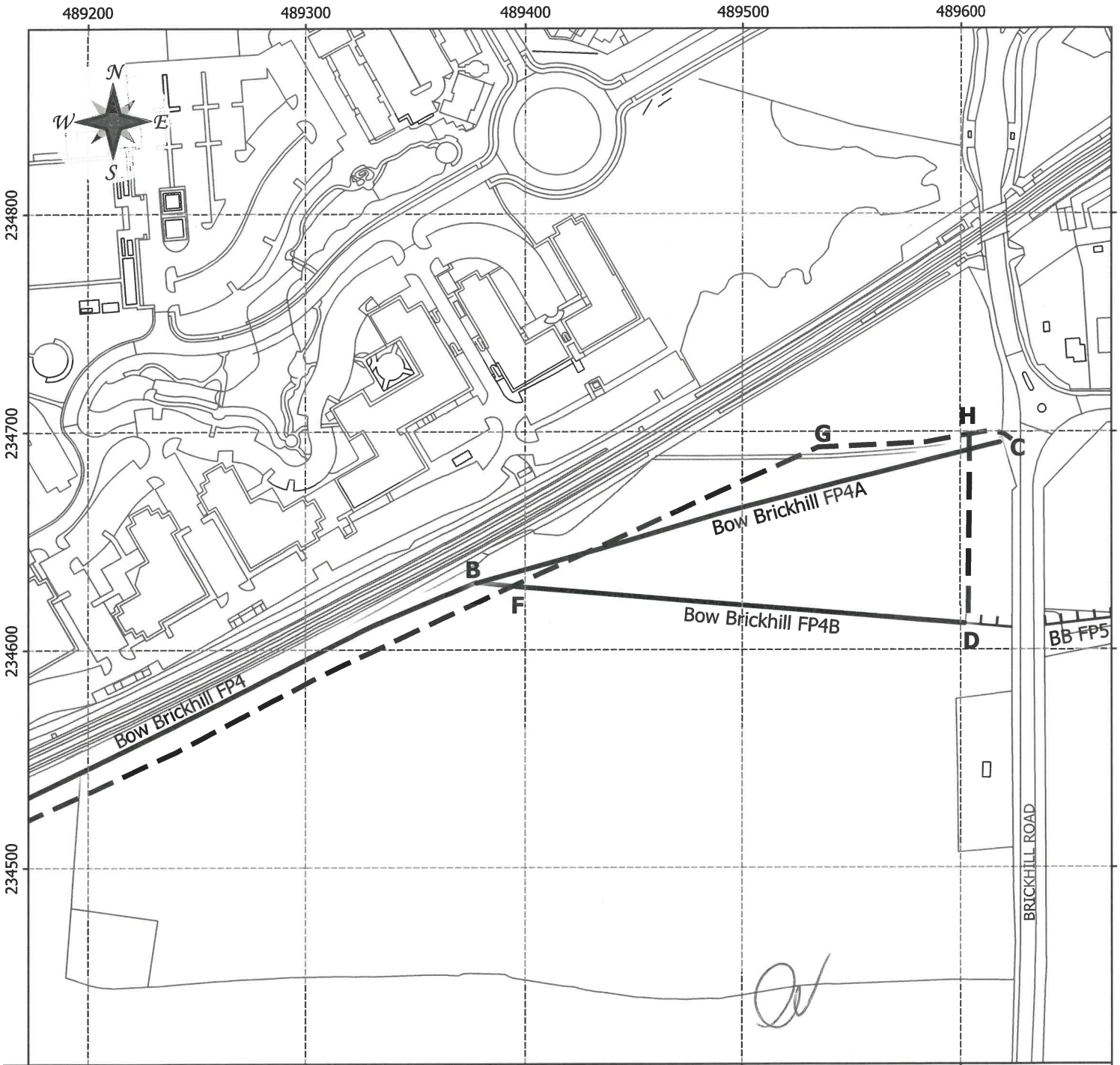
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@A4P



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OS [100019593]

1.12.2021

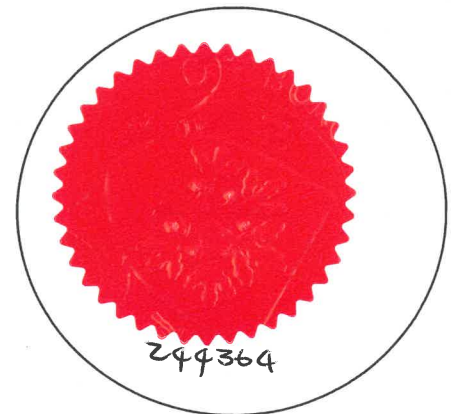
Ref:



Map 2 of 2 referred to in the Council of the Borough of Milton Keynes (Bow Brickhill Footpath 4, 4A, 4B (part)), Public Path Diversion Order 2022

The common seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of: CATHERINE STEPHENS

AUTHORISED SIGNATORY



Key:	————— A-B, B-C, B-D	Proposed Extinguished
	- - - - - A-E, F-G-H-C, D-H	Proposed Diversion
	Unaffected Public Footpath	

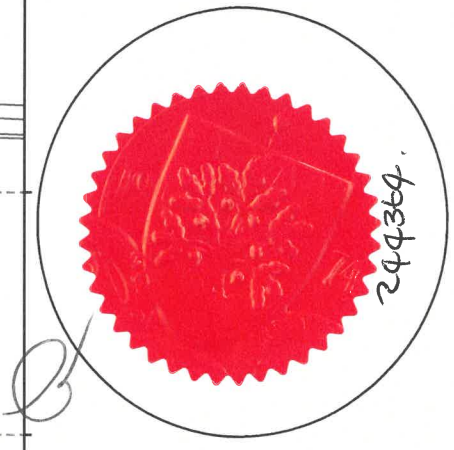
Scale: 1:2500
@A4P



Key A-B, B-C, B-D Proposed Extinguished A-E-F, F-G-H-C, D-H Proposed Diversion ——— Unaffected Public Footpath	1.12.2021	© Crown copyright and database rights 2021 OS [100019593]	Scale: 1:3000 @A4P
	Ref:		

Map referred to in the Council of the Borough of Milton Keynes (Bow Brickhill Footpath 4, 4A, 4B (part)), Public Path Diversion Order 2022

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



AUTHORISED SIGNATORY

GIVEN under the **Common Seal** of the
Council of the Borough of Milton Keynes.

Dated this 7 day of JUNE 2022



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Head of Legal Services