

**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 (SHENLEY
CHURCH END FOOTPATH 13 (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 19/01330/REM granted under Part III of the Town and Country Planning Act 1990, namely part of the Milton Keynes Western Expansion Area 10 residential development.

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 Public Footpath 13 Shenley Church End over the land shown by a bold black continuous line 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 a bold black dashed line 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

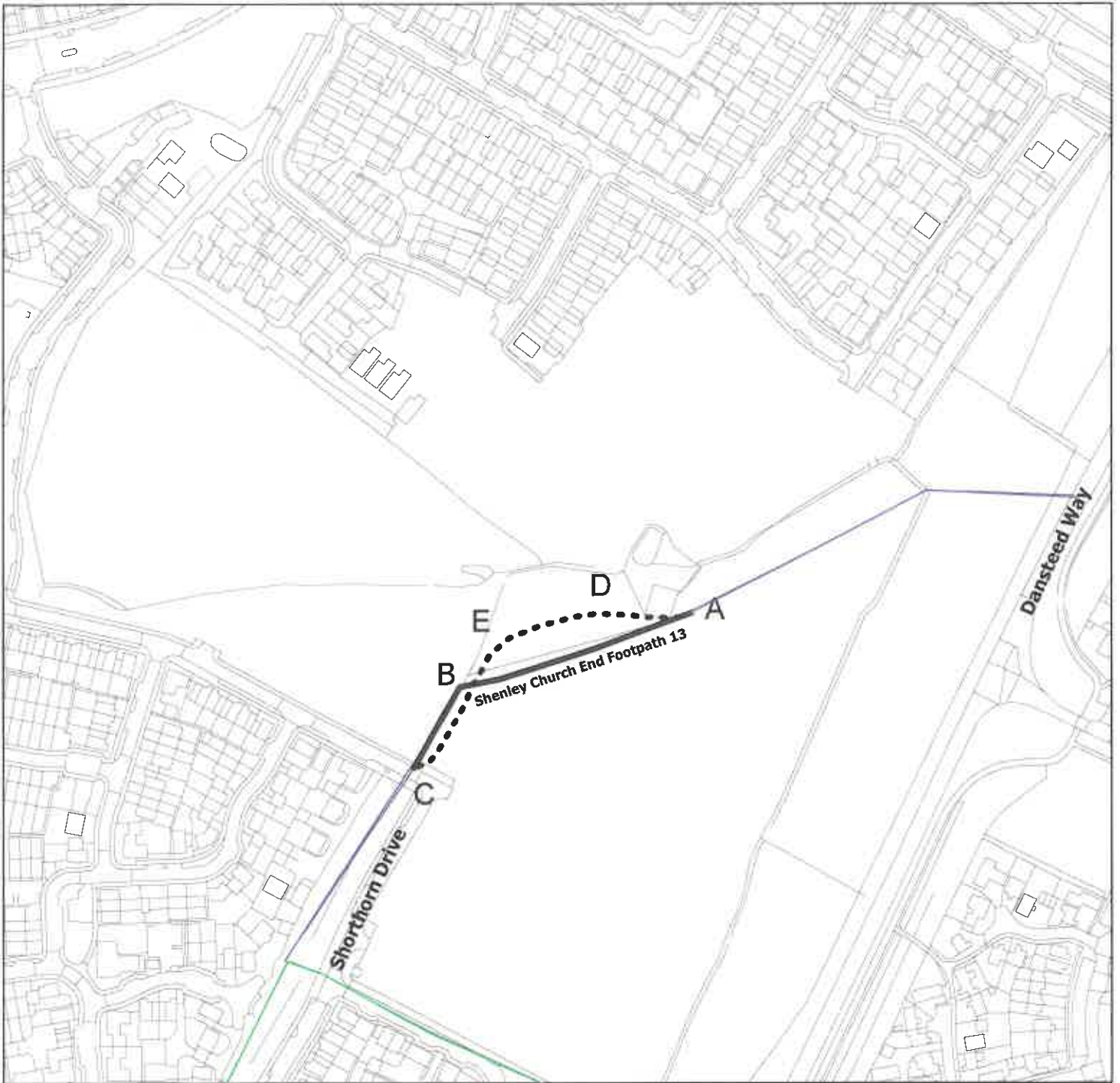
From point A at OS Grid Reference SP 81686 37484, upon a grass surface, in a general west south westerly direction for approximately 104 metres to point B at O.S Grid Reference SP 81587 37452, then travelling in a general south westerly direction for 42 metres to terminate at point C at O.S Grid Reference SP 81566 37416.

This existing path has a length of approximately 146 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.

PART 2

Description of site of alternative highway

From point A at O.S Grid Reference SP 81686 37484 in a general westerly direction for approximately 46 metres to point D at O.S Grid Reference SP 81640 37484, then continuing in a general west south-westerly direction for approximately 40 metres to point E at O.S Grid Reference SP 81603 37469, then in a general south-south westerly direction for approximately 67 metres to point C at O.S Grid Reference SP 81566 37416.



Map referred to in the Council of the Borough of Milton Keynes
 Shenley Church End Footpath 13 (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: *RAVINDER JOHAL*

AUTHORISED SIGNATORY



| | | | |
|-------------|---------|--------------------|----------------------|
| Key: | A-B-C | Existing | Unaffected Footpath |
| | A-D-E-C | Proposed Diversion | Unaffected Bridleway |



Plan by: Ken Farrier

Tel: MK

17/6/2021

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 OS [100019593]

Ref: ROW0588P/20/JW

Scale 1:2500

The alternative way will be constructed with a tarmac surface and will have a length of approximately 153 metres and a width of 2 metres throughout and is indicated by the points stated above on the Order map by a bold black dashed line.

PART 3

Modification of Definitive Statement Variation of Particulars of Path or Way

Footpath 13, Shenley Church End

Add:-

From: SP 81868 37541

To: SP 81509 37327

From junction with Dansteed Way, easterly for approximately 68 metres until ditch, continues south westerly for approximately 274 metres to junction with Heren Lane. Then travels south-south westerly for approximately 103 metres before terminating at junction with Shenley Church End, Bridleway 14.

Width: 2 metres from SP 81686 37484 to junction with Heren Lane SP 81566 37416.

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

Dated this 28th day of September 2021.


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Authorised Signatory

Head of Service
Legal Department



This order was confirmed by the Council without modification on the 16th June 2024 as an unopposed order under the delegated authority of the Rights of Way Officer dated 23.2.21



CATHERINE STEPHENS
Head of Service
Legal Department 16/7/24