

**PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980 S119
THE CHESHIRE EAST BOROUGH COUNCIL
(FOOTPATH NO. 12 (PART) PARISH OF LOWER WITHINGTON)
PUBLIC PATH DIVERSION ORDER 2018**

This Order is made by Cheshire East Borough 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 owners of the land crossed by the path it is expedient that the line of the path described in Paragraph 1 of this Order should be diverted.

Lower Withington Parish Council has been consulted as required by section 120 (2) of the 1980 Act;

BY THIS ORDER:

1. The Public Footpath over the land situated in the Parish of Lower Withington and shown by a bold continuous black line on the attached plan and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up on the date on which the Cheshire East Borough Council certifies that the work has been carried out to bring the new highway mentioned in Article 2 into a condition fit for use by the public.
2. There shall be on the date of confirmation a Public Footpath over the land situated in the Parish of Lower Withington described in Part 2 of the Schedule and shown by bold black dashes on the attached plan.
3. Where immediately before the date on which the Public Footpath referred to in paragraph 1 is diverted there is apparatus under, in, on, over, along or across it belonging to the 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.
4. 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.
5. This Order shall be cited as "The Cheshire East Borough Council (Footpath No. 12 (part) Parish of Lower Withington) Public Path Diversion Order 2018."

THE COMMON SEAL OF CHESHIRE EAST BOROUGH COUNCIL
was hereunto affixed this 7th Day of June
Two Thousand and eighteen in the presence of:-

Putnam Jones



Authorised Signatory

10426
(1)

SCHEDULE

PART 1

Description of site of existing Path or Way to be diverted

That length of Public Footpath No. 12 in the Parish of Lower Withington commencing at O.S. grid reference SJ 8168 7024 (point A on Plan No. HA/120A) and running in a generally east, north easterly direction for a distance of approximately 319 metres to O.S. grid reference SJ 8198 7036 (point B on plan HA/120A) and then running in a generally east, south easterly direction for 154 metres to O.S. grid reference SJ 8212 7033 (point C on Plan No. HA/120A) and then running in a generally northerly direction for a distance of approximately 819 metres to O.S. grid reference SJ 8207 7114 (point D on Plan No. HA/120A) as indicated by a bold continuous black line between the points marked A-B-C-D on Plan No. HA/120A.

A total length of approximately 1292 metres.

SCHEDULE

PART 2

Description of site of new Path or Way

A footpath, to be know as part of Footpath No. 12 in the Parish of Lower Withington, commencing at O.S. grid reference SJ 8168 7024 (point A on Plan No. HA/120A) and running in a generally north, north westerly direction for a distance of approximately 29 metres to O.S. grid reference SJ 8167 7027 (point E on Plan No. HA/120A) and then running in a generally east, north easterly direction for a distance of approximately 24 metres to O.S. grid reference SJ 8169 7028 (point F on Plan HA/120A) and then running in a generally north, north westerly direction for a distance of approximately 203 metres to O.S. grid reference SJ 8160 7046 (point G on plan HA/120A) and then running in a generally south westerly direction for approximately 10 metres to O.S. grid reference SJ 8159 7059 (point H on Plan HA/120A) and then running in a generally north westerly direction for a distance of approximately 36 metres to O.S. grid reference SJ 8157 7049 (point I on Plan HA/120A) and then running in a generally north easterly direction for a distance of approximately 109 metres to O.S. grid reference SJ 8164 7057 (point J on plan HA/120A) and then running in a generally northerly direction for a distance of approximately 90 metres to O.S. grid reference SJ 8163 7065 (point K on plan HA/120A) and then running in a generally east, north easterly direction for a distance of approximately 77 metres to a timber bridge crossing a water course at O.S. grid reference SJ 8170 7069 (point L on Plan No. HA/120A) and then running in a generally northerly direction for a distance of approximately 250 metres to its junction with Public Footpath No. 18 in the Parish of Lower Withington at O.S. grid reference SJ 8164 7093 (point M on plan HA/120A) as indicated by a bold continuous black dashed line between the points marked A-E-F-G-H-I-J-K-L-M on Plan No. HA/120A.

A total length of approximately 828 metres.

The footpath running between points marked A-E-F-G-H-I-J-K-L-M on Plan No. HA/120A is 2.5 metres wide throughout.

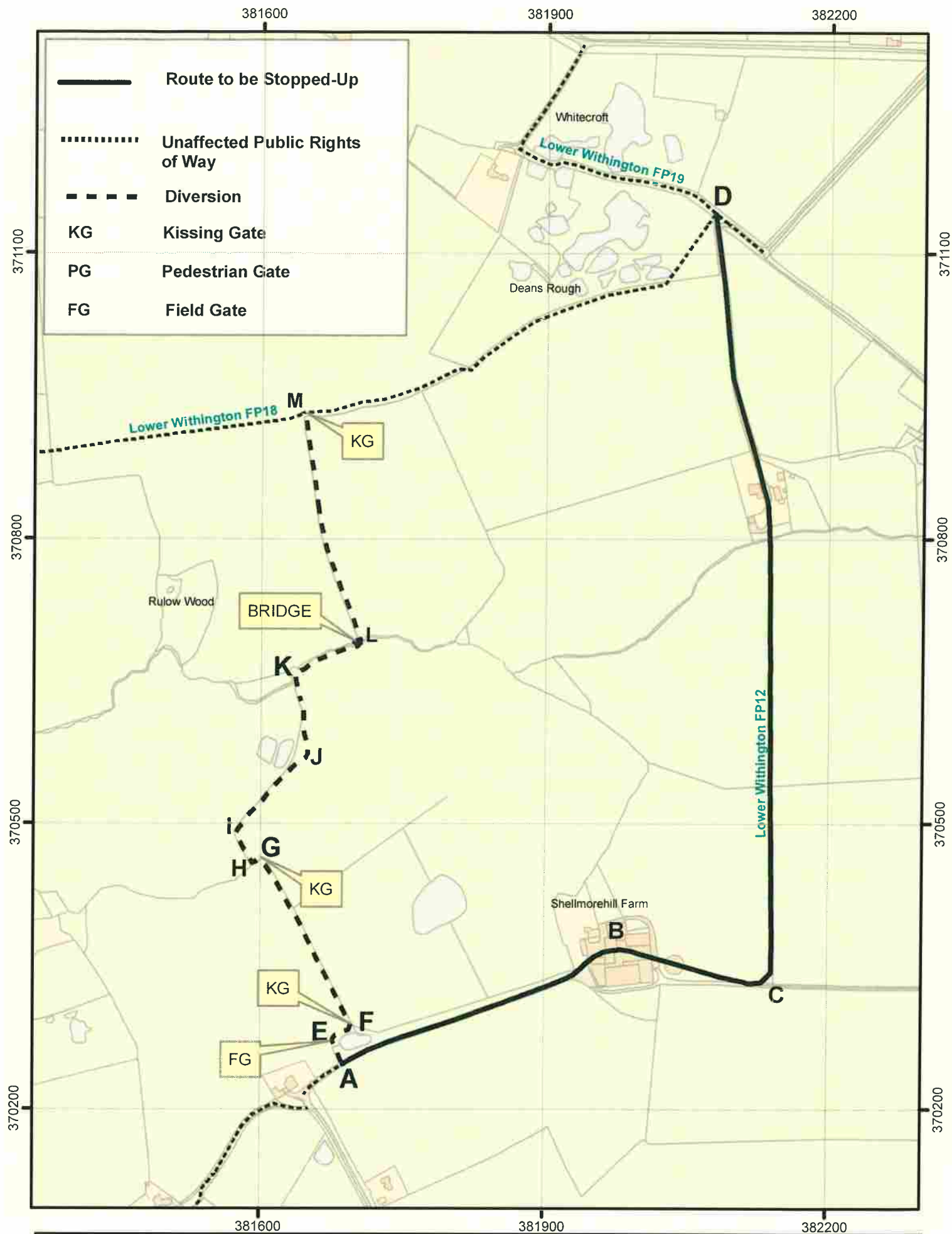
SCHEDULE

PART 3

Limitations and Conditions

A 2 in 1 field gate with pedestrian access of 1.2 metres width conforming to Cheshire East Borough Councils standard for path furniture on public rights of way (version 1, 1st March 2010) at O.S. grid reference SJ 8167 7027 (point E on Plan No. HA/120A).

Three kissing gates of 1.2 metres width conforming to Cheshire East Borough Councils standard for path furniture on public rights of way (version 1, 1st March 2010) at O.S. grid references SJ 8169 7028, SJ 8160 7046 and SJ 8164 7093 (points F, G and M on Plan No. HA/120A).



Highways Act 1980, s119
 The Cheshire East Borough Council
 (Footpath 12 (part) Parish of Lower Withington)
 Public Path Diversion Order 2018

Plan No.
 HA/120A



