

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. BH600 (PART) BROADHEATH  
PUBLIC PATH DIVERSION ORDER 2019

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 a mixed residential, employment and community development to the west of Worcester. (Planning Application ref: 15/01419/OUT).

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 4 metres wide with a grass/hoggin surface between points B and C.
5. Hallam Land Management 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. BH600 in the Parish of Broadheath, running from point A (SO 82014 55454), at the junction of Bridleway No. BH592 and Bridleway No. BH593, running in an east-south-easterly direction for 46 metres to Point X, (SO 82058 55435), then continuing in a south-easterly direction for 160 metres to Point B (SO 82170 55323).

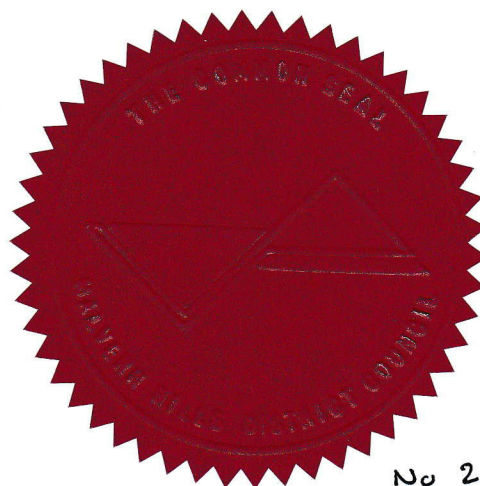
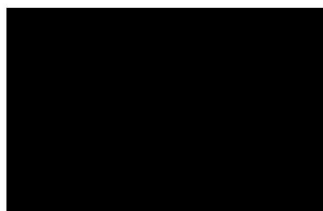
PART 2

Description of Site of Alternative Highway

A length of public footpath at a width of 4 metres running from point C (SO 82173 55432) in a southerly direction for 109 metres to join Footpath No. 600 at Point B (SO 82170 55323).

GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 6<sup>th</sup> day of August 2019 in the presence of:

No. In deeds register



No 2320

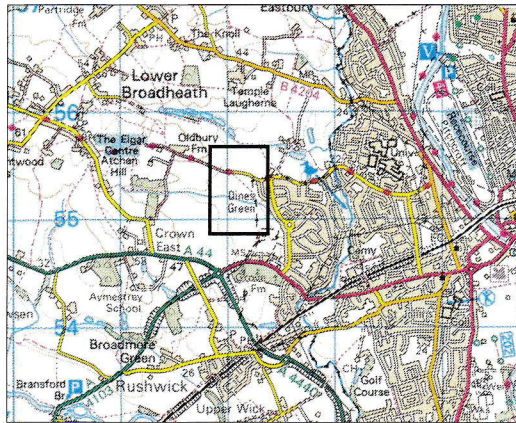
SCALE 1:2500 @ A4

0 10 20 30 40 50 60 70 80 90metres



**GRID REFERENCES:**

- A = SO 82014 55454**
- B = SO 82170 55323**
- C = SO 82173 55432**
- X = SO 82058 55435**



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Malvern Hills District Council  
 Town & Country Planning Act 1990 S.257. **No 2320**

**MALVERN HILLS DISTRICT COUNCIL  
 (PUBLIC FOOTPATH NO. BH600 (PART))  
 BROADHEATH PUBLIC PATH DIVERSION ORDER 2019**



- Footpath to be diverted     A ——— X ——— B
- Alternative Footpaths       B - - - C
- Unaffected Footpaths       ————
- Unaffected Bridleways      — + + + —
- Public Right of Way or Road    . . . . .



**TOWN AND COUNTRY PLANNING ACT 1990**

**SECTION 257**

**MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. 600 (PART) BROADHEATH PUBLIC  
PATH DIVERSION ORDER 2019**

The above Order is hereby **CONFIRMED**

Dated this *14* day of *February* 2020



Legal Services Manager

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