

**PUBLIC PATH DIVERSION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

**HINCKLEY & BOSWORTH BOROUGH COUNCIL**

**(PUBLIC FOOTPATH S66)**

**PUBLIC PATH DIVERSION ORDER 2017**

## PUBLIC PATH DIVERSION ORDER

### TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

#### HINCKLEY & BOSWORTH BOROUGH COUNCIL

#### DIVERSION OF PUBLIC FOOTPATH S66 OFF BRASCOTE LANE CADEBY

### PUBLIC PATH DIVERSION ORDER (2017)

---

This Order is made by Hinckley & Bosworth Borough Council ("the Borough Council") under Section 257 of the Town and Country Act 1990 ("The Act") because it is satisfied that it is necessary to divert part of public footpath S66 off Brascote Lane Cadeby 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 Act namely extensions to manufacturing building, erection of concrete batching plant, formation of additional car parking areas, change of use of land to Class B2 (general industry) for new product storage area including ancillary security and landscaping works and the permanent diversion of a public footpath under planning application reference 16/01092/FUL

#### BY THIS ORDER

1. The footpath over the land shown by a bold black line on the attached Order map ("The 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 the Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by a black dashed line on The Map.
3. The diversion of the footpath shall have effect on the date on which the Borough Council certify that the terms of Article 2 above 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:
  - a) the diverted Public Footpath shall consist of a 4-metre-wide route, 2 metres of which is a stoned and edged path, with a minimum 1 metre-wide grassed verge on either side the details of construction to be agreed in writing by the Borough

- Council as Local Planning Authority in consultation with Leicestershire County Council as Highway Authority
- b) A Woodstock Kissing Gate (SDFP\_12\_REV\_A) shall be installed at Point C on the Map
  - c) A Fingerpost (SDFP7) shall be installed at Point C on the Map
  - d) All existing signage and furniture along the diverted route of Public Footpath S66 shall be removed
5. FP McCann Limited (Co. Reg No. NI013563) of 3 Drumard Road Knockloughrim Magherafelt BT45 8QA is hereby required to pay the costs 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 out their undertaking, the undertakers shall continue to have the same rights of respect of the apparatus as they then had.
7. This order may be cited as the Public Footpath S66 off Brascote Lane Cadeby Public Path Diversion Order (2017)

## **SCHEDULE**

### **PART 1**

#### Description of existing Footpath S66 to be diverted

The section of Footpath S66 off Brascote Lane Cadeby within the administrative area of Hinckley and Bosworth Borough Council as shown by a bold black line on the Map which extends from the point marked A on the Map at grid reference easting 443019 northing 302581 in a generally south westerly direction for a distance of approximately four hundred and twenty nine (429) metres to the point marked B on the Map at grid reference easting 442696 northing 302338.

PART 2

Description of site of alternative footpath

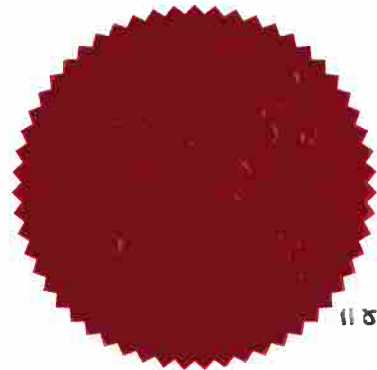
A footpath off Brascote Lane Cadeby within the administrative area of Hinckley and Bosworth Borough Council as shown by a black dashed line on the Map which will extend from point A on the Map at grid reference easting 443019 northing 302581 in a generally north westerly, south westerly and south easterly direction for a total distance of approximately five hundred and thirty six (536) metres to the point marked C on the Map at grid reference easting 442695 northing 302342.

---

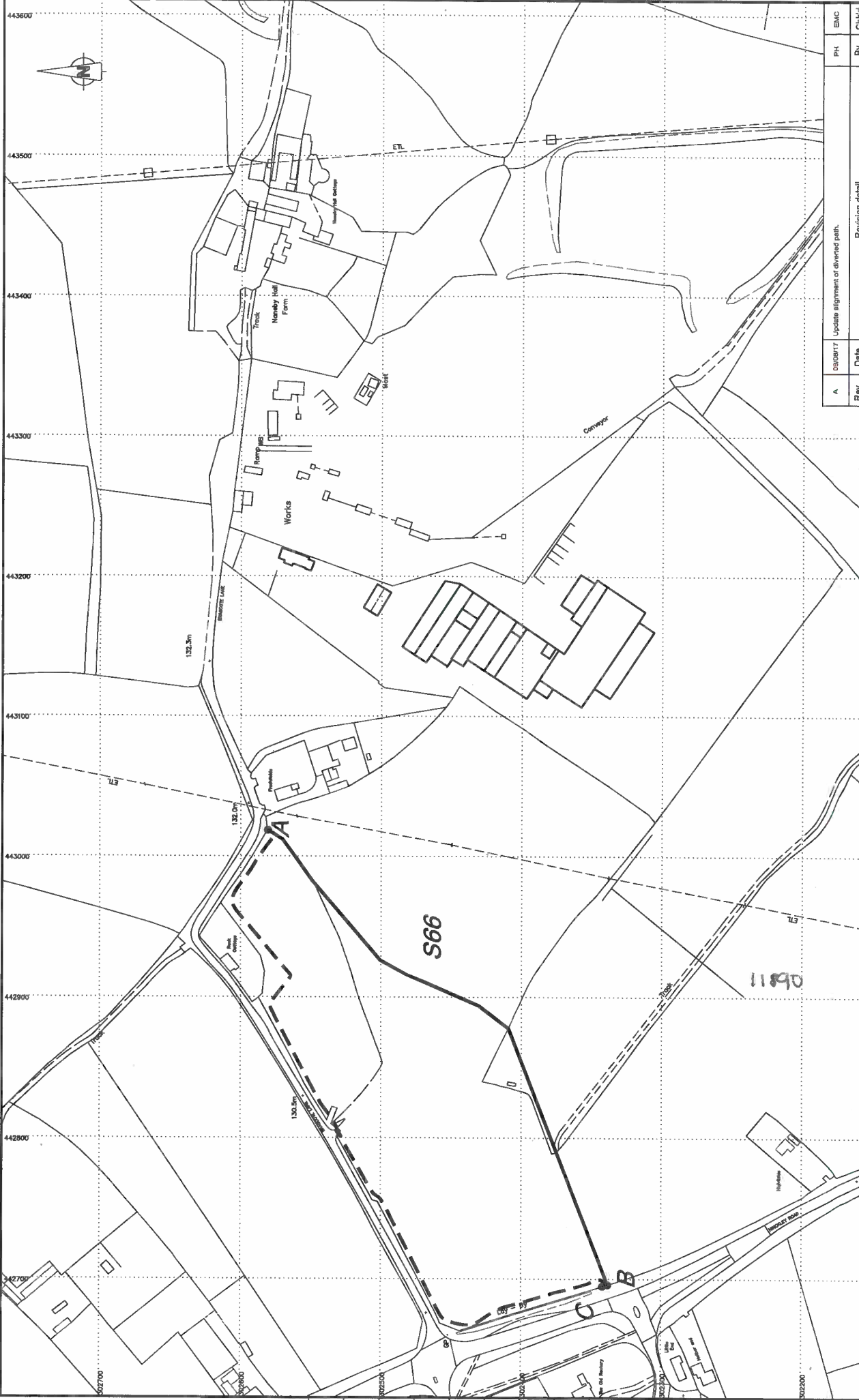
THE COMMON SEAL of THE  
BOROUGH COUNCIL OF HINCKLEY  
AND BOSWORTH

was hereunto affixed the 9<sup>th</sup> day of October 2017  
in the presence of:

*Stenny*



Authorised officer



Revision detail		Revision detail		Status:	
Rev	Date	PH	By	Scale: 1:2,500@A3	PLANNING
A	05/01/17	Update alignment of diverted path.	EMC	Chk'd:	EMC
Drawing no: DIV/CAD-2017/PD-01				Rev: A	

Contract / Title:  
 Permanent Diversion of S66 Public Footpath  
 Location Map



Route of existing public footpath S66  
 Length = 428m

Diverted footpath  
 Length = 538m

*Henry*

