

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

BOROUGH COUNCIL OF DUDLEY

BOROUGH OF DUDLEY (DIVERSION OF FOOTPATH S75,  
TREHERNS FARM, WORCESTER LANE, HAGLEY, STROUBRIDGE)  
ORDER, 2008

This order is made by the Borough Council of Dudley ("The Council") under section 257 of the Town and Country Planning Act 1990 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, application number P06/1278, granted under Part III of the Town and Country Planning Act 1990 namely: the change of use from agricultural land to school sports pitches at Treherns Farm, Worcester Lane, Stourbridge.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map DC/CP/490/OP and described in Part 1 to the Schedule to this order ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of The Council an alternative highway for use as a replacement for the said footpath in the Schedule 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 The 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:- the construction of a path 3 metres wide along the alignment as shown in the Order.
5. The Feoffees of Old Swinford Hospital are hereby required to pay the cost of the carrying out of 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 footpath**

That length of public footpath S75, for its whole width, that commences at the southern end of public footpath S76 at point D, some 190 metres west of the Hagley to Stourbridge railway line, running in a generally south-westerly direction for approximately 220 metres meeting the junction of public footpaths S69, HE 501 and HE 502, at point C.

**PART 2**

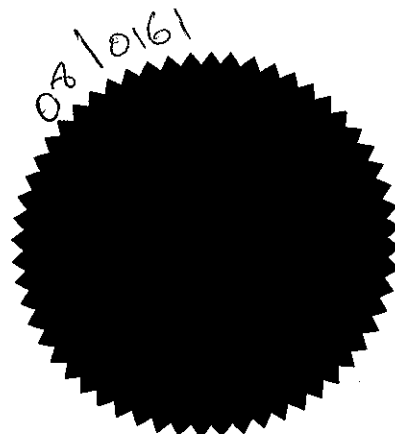
**Description of alternative footpath**

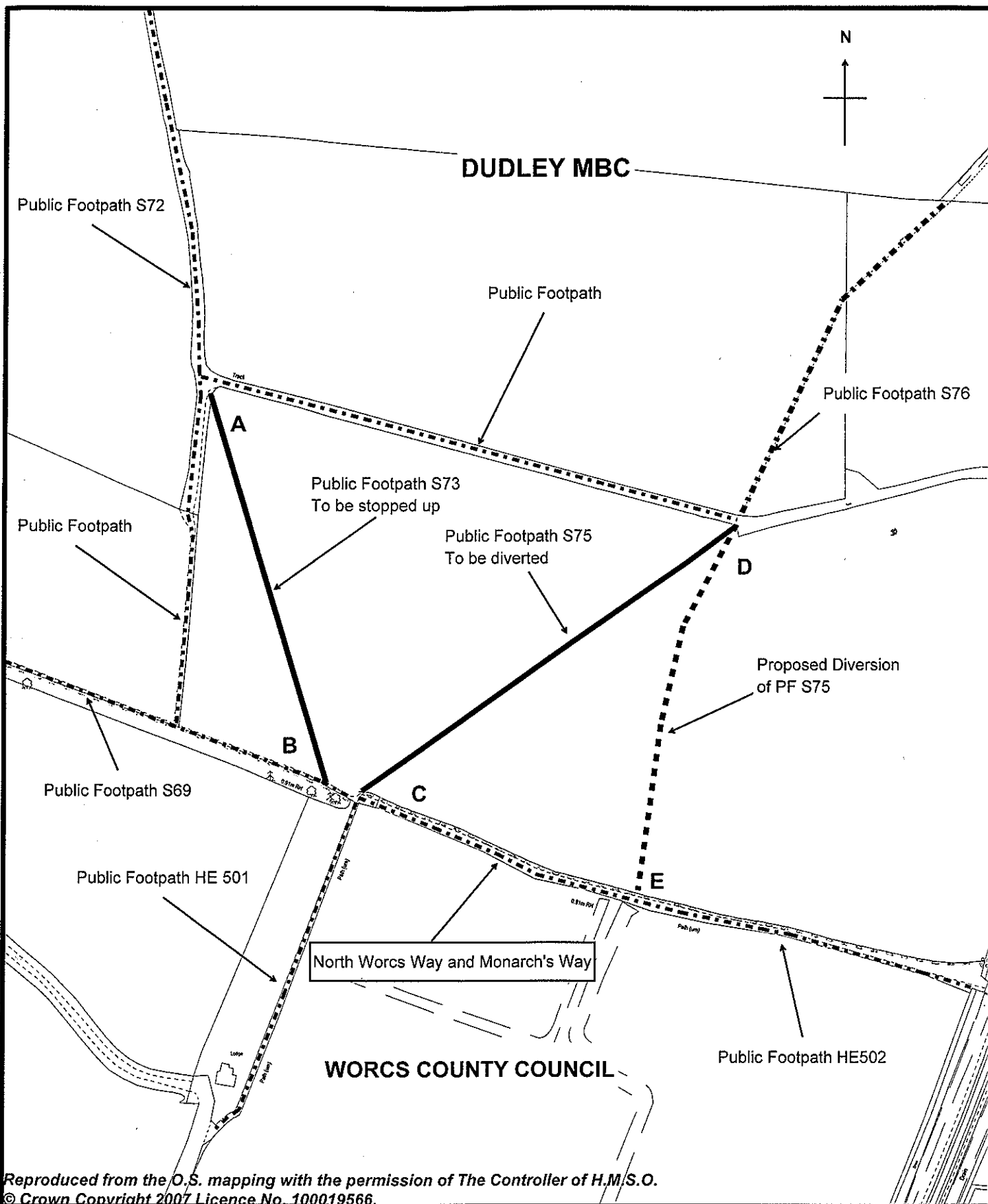
The proposed diversion of public footpath S75 will commence at the southern end of public footpath S76 at point D, some 190 metres west of the Hagley to Stourbridge railway line, to run in a generally southerly direction for 185 metres to terminate at its junction with public footpath HE 502, 135 metres east of the junction of public footpaths S69, HE 501 and HE 502, at point E.

The width of the new path will be 3 metres wide.



THE COMMON SEAL of THE BOROUGH )  
COUNCIL OF DUDLEY was hereunto )  
Affixed the 7<sup>th</sup> day of March 2008 )  
In presence of:- )

  
**SENIOR LAWYER**





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<p>TITLE:</p> <p>Proposed Closure and Diversion of          Public Footpaths          Treherns Farm, Pedmore,          Stourbridge</p> <p>DC/CP/490/OP</p>	 <p>SCALE:          1 : 2500</p> <p>DATE:          Jan '08</p>	<p><b>Engineering &amp; Transportation</b>  <b>Directorate of the Urban Environment</b></p> <p>The Council House          Mary Stevens Park          Stourbridge          DY8 2AA</p>
<p>CREATED BY:          JB</p>		

THE BOROUGH COUNCIL OF DUDLEY IN EXERCISE OF THEIR POWERS  
UNDER SECTION 257 AND 259 OF THE TOWN AND COUNTRY  
PLANNING ACT 1990 HEREBY CONFIRM THE ABOVE ORDER.

THE COMMON SEAL of THE BOROUGH )  
COUNCIL OF DUDLEY was hereunto )  
Affixed the )  
In presence of:- )