

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257

**MONMOUTHSHIRE COUNTY COUNCIL:
(PUBLIC FOOTPATH NO. 8 (PART) LLANARTH FAWR**

PUBLIC PATH DIVERSION ORDER 2017

This Order is made by Monmouthshire County Council ("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 granted under Part III of the Town and Country Planning Act 1990 namely to allow for the building of a new dwelling as approved in planning application DC/2014/00112.

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 the 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 confirmation of this Order.
- 4 The Landowner as applicant for this Order is hereby required to pay for the cost of carrying out the said works.
- 5 Where immediately before the date on which the footpath is diverted there is apparatus under, in, over, along or across it belonging to statutory undertakers for the purposes of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

Given under the Common Seal of the Council this ^{3rd} day of April 2017

THE COMMON SEAL of
MONMOUTHSHIRE COUNTY COUNCIL)
was hereunto affixed)
in the presence of:-)

Member of the Council *[Signature]*
Authorised Signatory *[Signature]*



This Order is confirmed by
Monmouthshire County Council
as an unopposed Order on
^{12th} day of JUNE 2017

Public Path Diversion Order 2017
Town and Country Planning Act 1990, s257
Monmouthshire County Council
Public Footpath No. 8 (part), Llanarth Fawr

SCHEDULE

PART 1

**Section as
indicated on
map**

Description of site of existing path or way

A-B-C

Footpath continues from 'A' (SO3869808950) in a South Westerly direction a distance of 41m to point 'B' (SO3866608924). From point 'B' the Footpath continues in a South South Westerly direction 136m to the R64 Charthouse-Raglan Road at point 'C' (SO3860908802).

PART 2

**Section as
indicated on
map**

Description of site of alternative highway

A-D-G-E-F

Footpath continues from point 'A' (SO3869808950) at a width of 2m in a South Westerly direction a distance of 83m to a pedestrian gate at point 'D' (SO3865008881). From point 'D' the Footpath continues at a width of 2m a distance of 3m along the field entrance track to the edge of the main vehicular access track at point 'G' (SO3864208879). From point 'G' the Footpath continues on level ground to the side of the vehicular access track at a width of 2m in a South Easterly direction distance of 74m to a Pedestrian Gate at point 'E' (SO3869908831). From point 'E' the Footpath continues at a width of 2m in a Southerly direction a distance of 19m along the track to the R64 Charthouse-Raglan Road at point 'F' (SO3870308812).

PART 3

Description of site of existing highway to be improved

None.



Llwybr Cyhoeddus Gorchymyn 2017
 Deddf Cynllunio Tref a Gwlad 1990 a 257
 Cyngor Sir Fynwy
 Llwybr 8(rhan), Llanarth Fawr

Public Path Order 2017
 Town and Country Planning Act 1990 s 257
 Monmouthshire County Council
 Footpath 8 (part), Llanarth Fawr

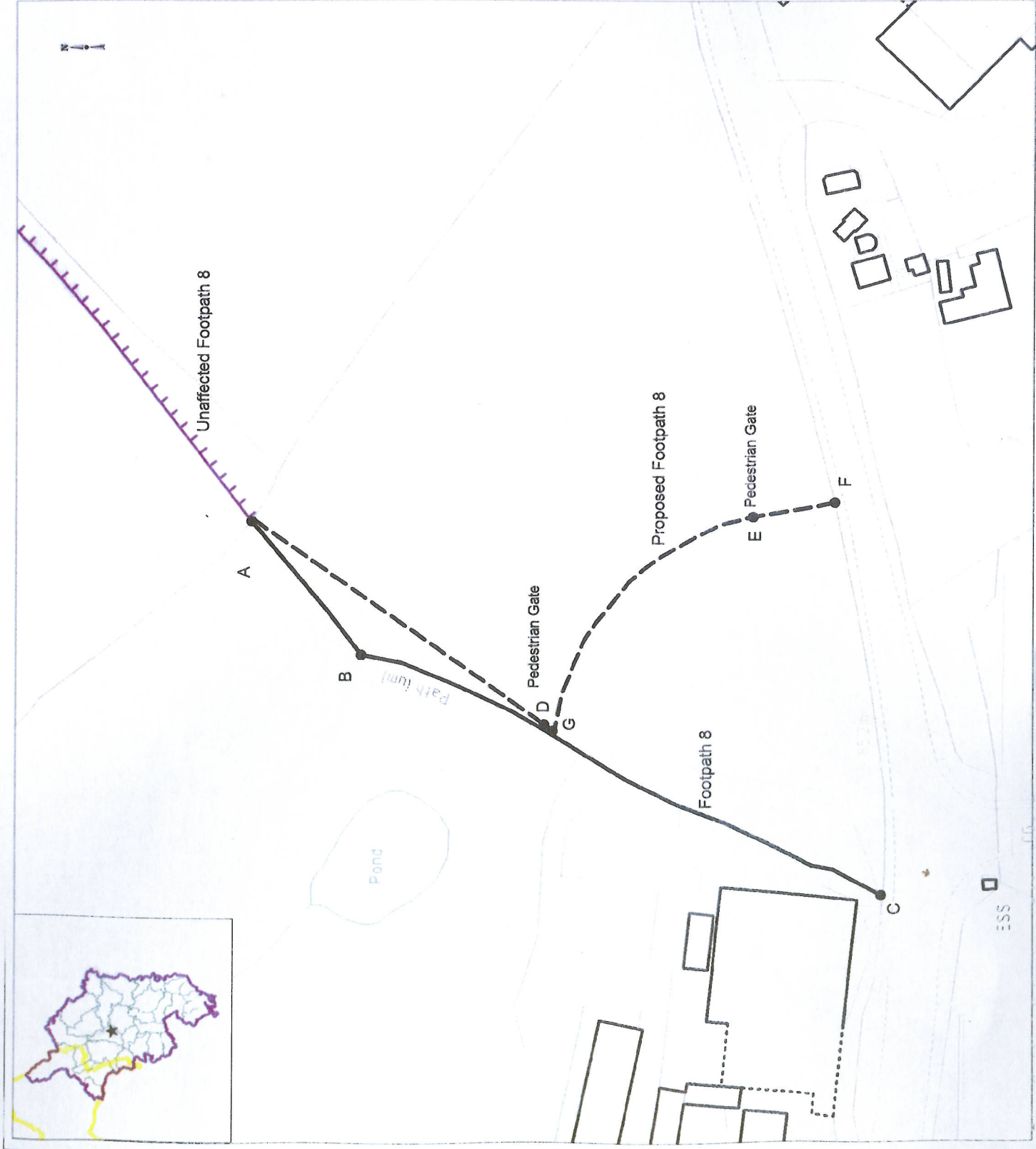
Llwybr arfaethedig i gael ei diddymu
 Existing path to be closed:

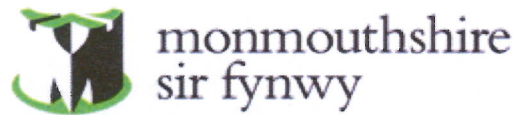
Llwybr arfaethedig i gael ei creu
 Proposed path to be created:

Heb effeithio arno Llwybrau
 Unaffected footpaths:

Scale 1:1250 at A4
 GR: SO386088

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NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257
AND PARAGRAPH 7 OF SCHEDULE 14**

**MONMOUTHSHIRE COUNTY COUNCIL:
PUBLIC FOOTPATH NO. 8 (PART) LLANARTH FAWR
PUBLIC PATH DIVERSION ORDER 2017**

HIGH HOUSE FARM (SO386088)

On the 12th of June 2017 Monmouthshire County Council confirmed the above order.

The effect of the order as confirmed is to divert the public footpath shown running between the points marked A-B-C Footpath 8 (Part) Llanarth Fawr and to create an alternative footpath instead shown running between the points marked A-D-G-E-F.

To divert:-

Public Footpath No.8 (Part) Llanarth Fawr – commencing at Point A (SO3869808950) in a South Westerly direction a distance of 41m to Point B (SO3866608924). From Point B the footpath continues in a South South Westerly direction 136m to the R64 Charthouse – Raglan Road at Point C (SO3860908802) as shown on the map attached to the Order.

To a line running to:-

Public Footpath No.8 (Part) Llanarth Fawr - commencing at Point A (SO3869808950) at a width of 2m to a pedestrian gate at Point D (SO3865008881). From Point D the footpath continues at a width of 2m a distance of 3m along the field entrance track to the edge of the main vehicular access track at Point G (SO3864208879). From Point G the footpath continues on a level ground to the side of the vehicular access track in a South Easterly direction 74m to a pedestrian gate at Point E (SO3869908831). From Point E the footpath continues at a width of 2m in a Southerly direction 19m along the track to the R64 Charthouse- Raglan Road at Point F (SO3870308812) as shown on the map attached to the order.

A copy of the confirmed order and the order map may be seen and obtained free of charge at the following council offices –
Abergavenny Hub, Baker Street, Abergavenny, NP7 5BD
Monmouth Hub, Rolls Hall, Whitecross Street, Monmouth, NP25 3BY
County Hall, The Rhadyr, Usk, NP15 1GA
Copies are also available at <http://www.monmouthshire.gov.uk/?p=45494> and by request via email to clairewilliams@monmouthshire.gov.uk

The order comes into force the date of which the Council certify that the terms of Article 2 of the order have been complied with but if any person aggrieved by the Order desires to question its validity or that of any provision contained in it on the ground that it is not within the powers of the above Act, or on the ground that any requirement of that Act or of any regulation made under it has not been complied with in relation to the confirmation of the Order, he or she may apply to the High Court for any of these purposes under section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to the Act.

DATED: 12th June 2017

**R Tranter
Head of Legal Services
Monmouthshire County Council**