

NOTICE OF CONFIRMATION OF A DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

HERTFORDSHIRE COUNTY COUNCIL

**HERTFORDSHIRE COUNTY COUNCIL (Shenley 23b)
DIVERSION ORDER 2015**

On 31 October 2016 the Secretary of State for the Environment confirmed with modification the above Order made under section 119 of the Highways Act 1980.

The effect of the Order as confirmed is to divert the public footpath running from Shenley 23a at TL 2047 0099 along the north west side of the Catharine Bourne to Mimms Lane at TL 2034 0084 and create a public footpath running from the junction of Ridge 20 at TL 2048 0099 along the south east side of the Catharine Bourne to TL 2043 0091 and then south east to join Mimms Lane at TL 2049 0085 as shown on the Order Plan.

A copy of the order and the order plan may be seen free of charge at front reception of Hertfordshire County Council, County Hall, Hertford, from 9.00 am to 4.00 pm on Monday to Friday and at Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA. Copies of the order and plan may be bought from Hertfordshire County Council at the price of £2.

The Order comes into force on the date on which Hertfordshire County Council certify that the terms of Paragraph 1 of the Order have been complied with, but if any person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the grounds that it is not within the powers of the Highways Act 1980, as amended, or on the grounds that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from 18 November 2016, make an application to the High Court.

Dated: 18 November 2016

PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980
HERTFORDSHIRE COUNTY COUNCIL

Hertfordshire County Council (Shenley 23b)
Diversion Order 2015

This Order is made by Hertfordshire County 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 footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

David Mark Wernick and Lucy Elizabeth Wernick have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Hertsmere Borough Council has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:





1. The public right of way over the land situate to the east of Catherine Bourne Farm, Mimms Lane in the Parish of Shenley and shown by a bold continuous line on the plan contained in this Order ("the Order Plan") and described in Part 1 of the Schedule to this Order shall be stopped up on the date on which the authority certifies that the public footpath described in paragraph 2 below is in a fit condition for use by the public such date not being earlier than 72 days from the date of confirmation of this Order.
2. There shall at the end of 72 days from the date of confirmation of this Order be a public footpath over the land situate to the east of Catherine Bourne Farm, Mimms Lane in the Parish of Ridge described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan.
3. 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.

SCHEDULE

PART 1
DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of Shenley Footpath 23b commencing at TL 2047 0099 (Point X on the Order Plan) and running generally south west on the north west side of the Catharine Bourne for approximately 205 metres to join Mimms Lane (public road) at TL 2034 0084 (Point Y on the Order Plan).

THIS PLAN FORMS PART OF THE
 HERTFORDSHIRE COUNTY COUNCIL (SHENLEY 23b)
 DIVERSION ORDER 2015

-  Existing footpath
-  Footpath to be created A-B-C-D
-  Footpath to be stopped up X-Y
-  Parish boundary

Appears on Definitive Map sheet 78

Catherine Bourne Farm

SHENLEY

Falcon Lodge

Mary Snack

Catherine Bourne

Mimms Lane

RIDGE

Shenley 23a
 Ridge 20

A

B

C

D

X

Y



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PART 2
DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath commencing from a junction with Ridge Footpath 20 at TL 2048 0099 (Point A on the Order Plan) on the south east side of the Catharine Bourne and the parish boundary and running south east and then south west for approximately 25 metres to TL 2047 0097 (Point B on the Order Plan), continuing generally south west along the south east side of the Catharine Bourne at the top of the bank for approximately 70 metres to TL 2043 0091 (Point C on the Order Plan) and then turning to run south east on the east side of the ~~hedge~~ ^{fence} for approximately 80 metres to join Mimms Lane (public road) at TL 2049 0085 (Point D on the Order Plan).

two metres away from

Width: 2 metres between TL 2048 0099 (Point A on the Order Plan) and TL 2047 0097 (Point B on the Order Plan)

4 metres between TL 2047 0097 (Point B on the Order Plan) and TL 2049 0085 (Point D on the Order Plan)

PART 3
LIMITATIONS AND CONDITIONS

A gap to BS 5709 of 2 metres at TL 2049 0085 (Point D on the Order Plan)

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 30th day of January 2015

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL
was hereunto affixed
in the presence of:-

Mary Cornack

~~Chief Legal Officer~~



Mary Cornack
Asst Chief Legal Officer

The foregoing order is hereby confirmed
subject to the red ink modifications thereon

Alan Beckett 31 OCT 2016

An Inspector appointed by The Secretary
of State for Environment, Food and
Rural Affairs