

NOTICE OF CONFIRMATION OF A DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

HERTFORDSHIRE COUNTY COUNCIL

**HERTFORDSHIRE COUNTY COUNCIL (THUNDRIDGE 57 AND WARESIDE 80)
DIVERSION ORDER 2010**

On 19th December 2012, the Secretary of State for the Environment confirmed with modifications the above Order made under section 119 of the Highways Act 1980.

The effect of the Order as confirmed is to divert the public restricted byway running from Cold Christmas Lane at TL 3772 1700 south east alongside Swangles Barn for 160 metres to TL 3781 1687 and create a public restricted byway from Cold Christmas Lane at TL 3786 1701 south west for 150 metres to TL 3781 1687.

It will also divert the restricted byway running from Thundridge bridleway 12 at TL 3804 1676 south east for 690 metres through the plantation then parallel with Thundridge footpath 08 to Wareside footpath 02 at TL 3859 1644 and create a public restricted byway over the former route of Thundridge bridleway 12 from TL 3804 1676 south for 5 metres to TL 3803 1676, then on the south side of the field ditch east to the north west corner of the plantation at TL 3821 1671; south east along the outer edge of the plantation to TL 3827 1660; then east along the track through the plantation to Thundridge footpath 08 at TL 3832 1662 and over the former route of Thundridge footpath 08 south east for 315 metres to Wareside footpath 02 at TL 3859 1644.

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 East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ. Copies of the order and plan may be bought from Hertfordshire County Council at the price of £2.

The Order comes into force as from 17th January 2013, 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 17th January 2013, make an application to the High Court.

Dated: 17th January 2013

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

HERTFORDSHIRE COUNTY COUNCIL

Hertfordshire County Council (Thundridge 57) Diversion Order 2010
and Wareside 80

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 Restricted Byway described in paragraph 1 of this Order it is expedient that the line of the path should be diverted.

Mr Page Croft and Mr Wisbey have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and contribute towards any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Wareside Parish Council
East Hertfordshire District Council and Thundridge Parish Council have 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 at Thundridge *and Wareside* shown by a broken line with long intervals on the plan forming part of this Order ("the Order Plan") and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up after 90 days from the date of confirmation of this Order.
2. Notwithstanding this Order National Grid and Veolia Water Central Limited, the statutory energy and water undertakers shall have the following rights over the land referred to in paragraph 1, namely: the rights to inspect, maintain, relay, alter, replace or renew the public energy and water mains, and apparatus.
3. There shall at the end of 90 days from the date of confirmation of this Order be a public Restricted Byway over the land situate at Thundridge described in Part 2 of the Schedule and shown by a broken line with small arrowheads on the Order Plan.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of those parts of Thundridge Restricted Byway 57 between:

- a junction with Cold Christmas Lane at point A on the Order Plan (TL 3772 1700) continuing in a south easterly direction along the boundary of Swangles and Swangles Barn for approximately 160 metres to point B on the Order Plan (TL 3781 1687).
- a junction with Thundridge BR 12 at Point D on the Order Plan (TL 3804 1676) and continuing in a generally south easterly direction for approximately 690 metres through the plantation to run parallel with Thundridge FP 08 to the junction with Wareside FP 02 and Wareside RB 80 at point I on the Order Plan (TL 3859 1644).

Limitations: None.

The full width of that part of Wareside Restricted Byway 80 from TL 3848 1646, generally east for approximately 110 metres to Point I on the Order plan (TL 3859 1644).

Limitations: None.

PART 2
DESCRIPTION OF SITE OF NEW PATH OR WAY

- A Restricted Byway: Commencing from a junction with Cold Christmas Lane at Point C on the Order Plan (TL 3786 1701) and continuing for approximately 150 metres in a generally south westerly direction to Point B on the Order Plan (TL 3781 1687).
- ~~Upgrading to~~ Restricted Byway: ^{Over the former route of} That part of Thundridge BR12 from Point D on the Order Plan (TL 3804 1676) continuing in a southerly direction for approximately 5 metres to Point E on the Order Plan (TL 3803 1676).
- A Restricted Byway from Point E on the Order Plan (TL 3803 1676) on the southern side of the field ditch in a generally easterly direction for approximately 190 metres to the north west corner of the plantation at Point F on the Order Plan (TL 3821 1671); then continuing in a generally south easterly direction for approximately 130 metres along the outer western edge of the plantation to Point G on the Order Plan (TL 3827 1660); then continuing in an easterly direction along the track through the plantation for approximately 60 metres to a junction with Thundridge FP 08 at Point H on the Order Plan (TL 3832 1662).
- ~~Upgrading to~~ Restricted Byway: ^{Over the former route of} That part of Thundridge FP 08 commencing at Point H on the Order Plan (TL 3832 1662) continuing in a south easterly direction for approximately 315 metres to a junction with Wareside FP 02 and Wareside RB 80 at Point I on the Order Plan (TL 3859 1644).

Width:

- 4 metres between Point C on the Order Plan (TL 3786 1701) and Point B on the Order Plan (TL 3781 1687).
- 4 metres between Point D on the Order Plan (TL 3804 1676) and Point I on the Order Plan (TL 3859 1644).

Limitations: None

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 9th day of July 2010



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

KP Pettitt
Kathryn Pettitt

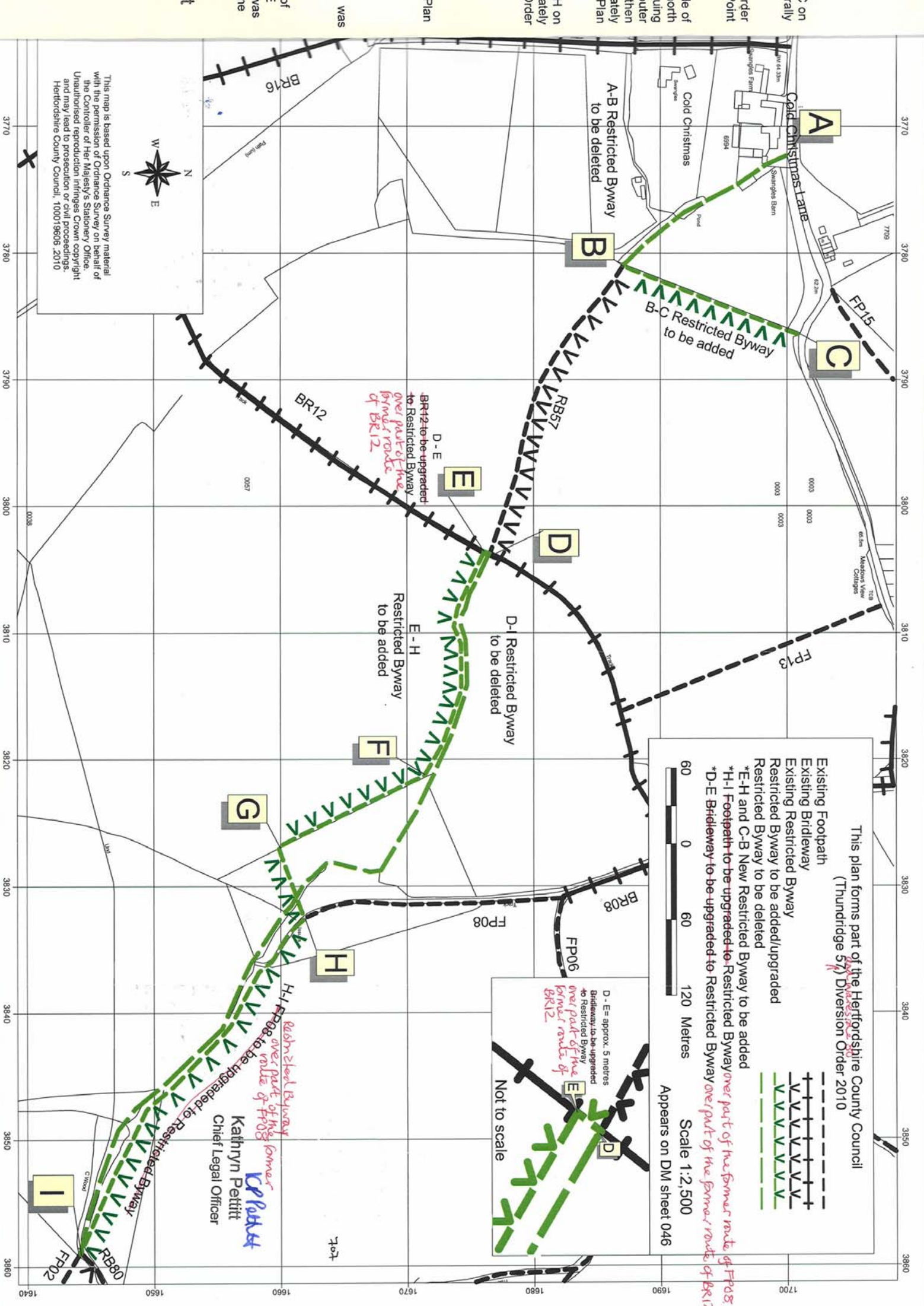
Chief Legal Officer

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

Heidi Cruickshank

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

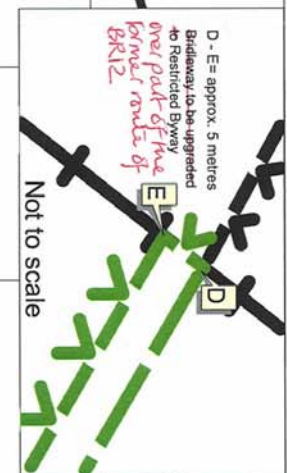
19 DEC 2012



- Existing Footpath
- Existing Bridleway
- Existing Restricted Byway
- Restricted Byway to be added/upgraded
- Restricted Byway to be deleted
- *E-H and C-B New Restricted Byway to be added
- *H-I Footpath to be upgraded to Restricted Byway over part of the former route of FP08.
- *D-E Bridleway to be upgraded to Restricted Byway over part of the former route of BR12.



Scale 1:2,500
Appears on DM sheet 046



D-E to be upgraded to Restricted Byway over part of the former route of BR12

D-E approx 5 metres Bridleway to be upgraded to Restricted Byway over part of the former route of BR12

H-I Footpath to be upgraded to Restricted Byway over part of the former route of FP08

*Kathryn Pettitt
Chief Legal Officer*

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