

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 257**  
**The Stroud District Council Footpath MMH136 Hyde, Stroud**  
**Section 257 Diversion Order 2021**

1. **IN THIS ORDER** the following expressions shall have the following meanings attributed to them:
  - 1.1 **"Applicant"** means Mr and Mrs Cole of Old Barns Hyde Chalford Stroud Gloucestershire who has applied for this Order to be made;
  - 1.2 **"Certificate of Completion"** means confirmation in writing provided by the Highway Authority certifying that it is satisfied that the Works have been properly carried out at the cost of the Applicant;
  - 1.3 **"Consent"** means the planning permission granted on the 1st April 2021 in respect of reference number S. 21/0086/FUL for the carrying out of the Development;
  - 1.4 **"Development"** means the enlargement of an existing horse arena at the Old Barns Hyde Chalford Stroud Gloucestershire;
  - 1.5 **"Footpath"** means public footpath, Footpath MMH136;
  - 1.6 **"Highway Authority"** means Gloucestershire County Council of Shire Hall, Westgate Street, Gloucester GL1 2TG
  - 1.7 **"New Route"** means the route shown by a broken black line between points A, D, C and B as marked on the attached plan and described in Part II of the Schedule to this Order;
  - 1.8 **"Original Section"** means that section of the Footpath shown by a solid black line between points A and B as marked on the attached plan and described in Part I of the Schedule to this Order;
  - 1.9 **"Works"** means the works for the purpose of creating a right of way over the New Route as specified in Part III of the Schedule to this Order.
  
2. **THIS ORDER IS MADE** by Stroud District Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the Footpath in order to enable the Development to be carried out in accordance with the Consent granted under Part III of the Town and Country Planning Act 1990.
  
3. **BY THIS ORDER:**
  - 3.1 The Original Section shall be diverted as provided for herein;

- 3.2 The New Route shall be created as an alternative public right of way for use as a replacement for the Original Section, subject to the issue of the Certificate of Completion;
  - 3.3 The Works shall be carried out at the cost of the Applicant;
  - 3.4 The diversion of the Original Section shall take effect from the date of issue of the Certificate of Completion for the Works; and,
  - 3.5 Where immediately before the date on which this order comes into effect there is apparatus in, on, over, under, along or across the Original Section belonging to statutory undertakers for the purpose of carrying on their undertaking, those undertakers shall continue to have the same rights in respect of that apparatus as they then had.
4. **THIS ORDER SHALL COME INTO FORCE** on the date of issue of the Certificate of Completion for the Works and may be cited as the "Stroud District Council Footpath MMH136 Hyde, Stroud Section 257 Diversion Order 2021".

## **SCHEDULE**

### **PART I**

#### **Description of the Original Section**

The section of Footpath situated between points A (OS Grid Reference 388920, 201957) and B (OS Grid Reference 388964, 201935) marked on the attached plan which measures approximately 42 metres long and unknown width.

### **PART II**

#### **Description of New Route**

The route shown by a broken black line on the attached plan situated between points A (OS Grid Reference 388920, 201957), D (OS Grid Reference 388929, 201965), C (OS Grid Reference 388950, 201960), and B (OS Grid Reference 388964, 201935) which measures approximately 56 metres in length and approximately 2 metres in width.

### **PART III**

#### **Description of the Works**

The Footpath is to remain a grass track.



LOCATION PLAN

NORTH



SCALE 1:2500



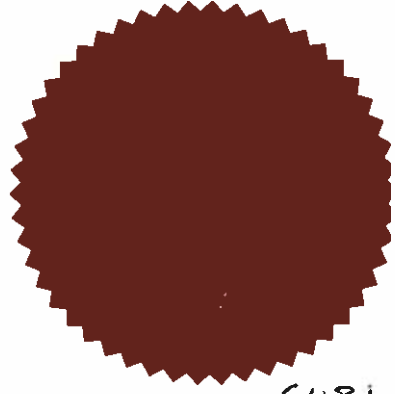
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The Order is made this 27<sup>th</sup> day of April 2021

THE COMMON SEAL of the )  
STROUD DISTRICT COUNCIL )  
was hereunto affixed in the presence of: )

 Proper Officer



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