

**PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

THE COUNCIL OF THE BOROUGH AND COUNTY OF THE TOWN OF POOLE

THE BOROUGH OF POOLE COUNCIL (PUBLIC FOOTPATH 29) PUBLIC PATH DIVERSION ORDER 2019

This Order is made by the Council of the Borough and County of the Town of Poole ("the Council") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Council that in the interests of the public and of the landowner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the way should be diverted.

This Order is also made under Section 53A (2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Poole definitive map and statement require modification in consequence of the occurrence of an event specified in section 53 (3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Canford School has agreed to defray any expenses which are incurred in bringing the new site of the way into a fit condition for use by the public.

BY THIS ORDER:

- 1) The public right of way over the land situated at Canford School and shown by a bold continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up on the date that the Council certifies that works have been carried out to bring the site of the new footpath described in Part 2 of the Schedule to this Order into a fit condition for use by the public and thereupon the Poole definitive map shall be modified by deleting from it the public right of way to be stopped up.
- 2) Notwithstanding paragraph 1 of this Order statutory undertakers shall have the following rights over the land referred to in paragraph 1 above, namely: 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 right in respect of the apparatus as they then had.
- 3) There shall on the date of confirmation of this Order be a public footpath over the land situated at Canford School described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order and thereupon the Poole definitive map shall be modified by adding that path to it.
- 4) The Poole definitive statement shall be modified as described in Part 4 of the Schedule to this order.

DATED this 14th day of March 2019

THE SEAL of THE COUNCIL OF THE
BOROUGH AND COUNTY OF THE TOWN
OF POOLE was hereto affixed
in the presence of:



A handwritten signature in cursive script, appearing to read 'B. Blyth'.

Head of Legal Services / Deputy Monitoring Officer

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of that part of Public Footpath 29, Poole, from the entrance into the school grounds on the Canford Magna road at Point A (SZ 03212 98206) on the order map, running East between the School playing fields, and then across the school golf course to its terminus at Point F (SZ 03924 98182) for a total distance of 719m.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

The full width of that part of Public Footpath 29, Poole, from the entrance into the school grounds on the Canford Magna road at Point A on the order map (SZ 03212 98206) running south along the Western perimeter of the field and through the orchard for a distance of 183m to Point B (SZ 03212 98026), then turning South East and running along the field edge walk, and passing along the Southern playing field boundary for a distance of 373m to Point C (SZ 03523 97859), then turning North East and running towards Moortown Coppice parallel to the raised drive for a distance of 195m to Point D (SZ 03621 98015), then turning South East and running for a distance of 62m to Point E (SZ 03678 97993), then turning North East and running through Moortown Coppice and then along the South Eastern perimeter of the school golf course for a distance of 324m to Point F (SZ 03924 98182) for a total distance of 1137m and a width varying between 1.5 to 2 metres throughout.

PART 3

LIMITATIONS AND CONDITIONS

A pedestrian kissing gate at Point A at grid reference SZ 03212 98206.

A pedestrian kissing gate at Point F at grid reference SZ 03924 98182.

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

Public Footpath 29, Canford Magna

From: GR SZ 03212 98206 To: GR SZ 05600 97089

From a point where it adjoins Canford Magna road and leads around the Southern edge of the school grounds and through Moortown Coppice to the golf course for a distance of 1137m, before leading in an Easterly direction through Knighton for a distance of 2109m where it meets Public Footpath E7.

Public Footpath 29 Diversion Map

Legend

— Stopped up

- - - Diversion

||||| Existing Paths

1:3800

Borough of Poole
Civic Centre
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www.poole.gov.uk



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