

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 AND
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)**

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(FOOTPATH 3 OLNEY (PART)) PUBLIC PATH DIVERSION ORDER
2020**

This Order is made by the Council of the Borough of Milton Keynes under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert that part of the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission reference 16/00688/OUT and 19/01345/REM granted under Part III of the Town and Country Planning Act 1990, namely the planned residential development of up to 50 dwellings on land to the south of Lavendon Road Farm, Lavendon Road, Olney, Milton Keynes.

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 Definitive Map and Statement for Milton Keynes 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 hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath over the land shown by bold black lines on the attached map and described in Part 1 of the Schedule to this Order ('the Schedule') shall be diverted as provided below and the Definitive Map and Statement for Milton Keynes shall be modified.
2. There shall be created to the reasonable satisfaction of the Council of the Borough of Milton Keynes an alternative highway for use as a replacement for the said section of 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 date on which Milton Keynes Council certify that the terms of Article 2 above have been complied with and upon the occurrence of that diversion the Definitive map for Milton Keynes shall be modified by deleting from it the path or way referred to in Article 1 of this Order and the path or way referred to in Article 2 of this Order shall be added to it and the definitive statement shall be modified as described in Part 3 of the Schedule
4. 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 rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

From point A at OS Grid Reference SP 89151 52277 at its junction with Lavendon Road, Olney in a general south-south westerly direction for approximately 128 metres to point B at O.S Grid Reference SP 89111 52154 with a width of 1.5 metres throughout as indicated by the points stated above on the Order map by a bold black line.

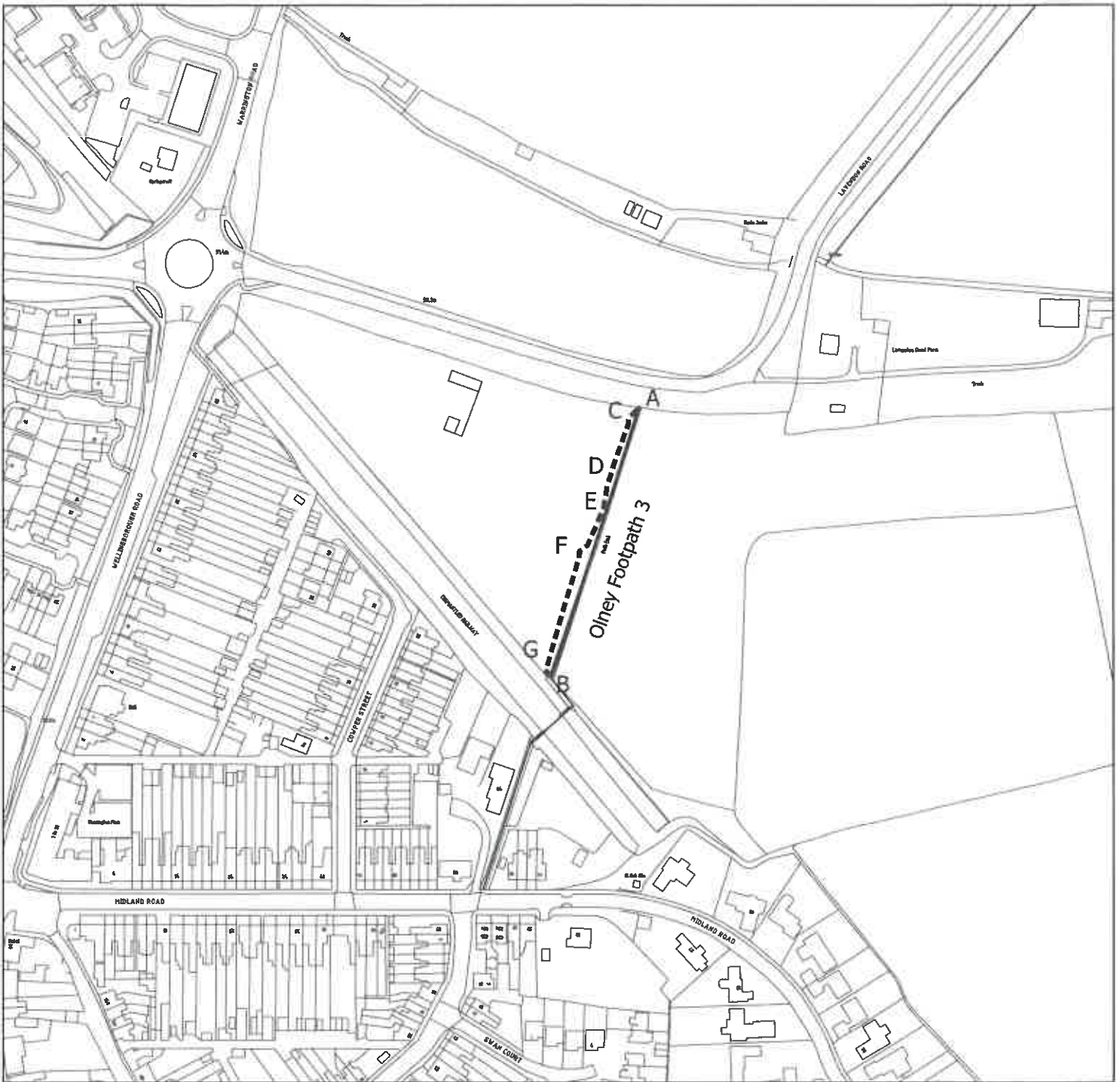
PART 2

Description of site of alternative highway

From point A at OS Grid Reference SP 89151 52277 at its junction with Lavendon Road, Olney in a general south-westerly direction for approximately 8 metres to point C at O.S Grid Reference SP 89145 52273, then in a general south-south westerly direction for approximately 34 metres to point D at O.S Grid Reference SP 89135 52232, then continuing in a general south-south westerly direction for approximately 20 metres to point E at O.S Grid Reference SP 89127 52215, then in a general south-westerly direction for approximately 12 metres to point F at O.S Grid Reference SP 89123 52213 then in a general south-south westerly direction for approximately 54 metres to point G at O.S Grid Reference SP 89108 52158, then in a general south easterly direction for approximately 4 metres to point B at O.S Grid Reference SP 89111 52154 as indicated by the points stated above on the Order map by bold black dashed lines.

The alternative way will have a length of approximately 132 metres and a width of 1.8 metres throughout.

The existing stiles at Points A and B as indicated on the Order map will be removed.



Map referred to in the Council of the Borough of Milton Keynes
(Footpath 3, Olney (Part)) Public Path Diversion Order 2020

The common seal of the Council of the Borough of Milton Keynes
was hereunto affixed in the presence of: *CHRISTOPHER GAUNT*
PRINCIPAL LAWYER

C. Gaunt

~~HEAD OF LEGAL SERVICES AND MONITORING OFFICER~~



Key:

- Proposed Extinguished
- Proposed Diversion



Scale 1:2500



GIS

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OS [100019593]

28/10/2020

Ref:

PART 3

**Modification of Definitive Statement
Variation of Particulars of Path or Way**

Footpath 3, Olney

Add:-

From: SP 89151 52277

To: SP 89054 52116

From Lavendon Road, Olney, south-south west for approximately 132 metres to a disused railway, south east for approximately 15 metres, then south west for approximately 25 metres across disused railway, then along passageway between 64 and 68 Midland Road for approximately 70 metres to terminate at Midland Road, Olney.

Width: 1.8 metres between Lavendon Road at SP 89151 52277 and SP 89111 52154.

GIVEN under the **Common Seal** of the
Council of the Borough of Milton Keynes.
Dated this ^{3rd} day of ~~NOVEMBER~~ 2020.



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Authorised Signatory

CHRISTOPHER GAUNT
PRINCIPAL LAWYER.



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