

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE METROPOLITAN BOROUGH OF SOLIHULL

(M148 BALSALL COMMON)

PUBLIC PATH DIVERSION ORDER 2013

This order is made by Solihull Metropolitan Borough 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 land owner it is expedient that the line of the footpath described in paragraph 1 of this order 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 Solihull Metropolitan Borough Council definitive map and statement requires 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.

Balsall Common Parish 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 at Balsall Common and shown by a bold black line on the plan attached to this order (“the plan”) and described in Part 1 of the Schedule to this order shall be stopped up 7 days from the date the authority certify that the line of the new footpath has been brought up to an acceptable standard and thereupon the Solihull Metropolitan Borough Council definitive map shall be modified by deleting from it that public right of way.
2. There shall at the end of 7 days from the date the authority certify that the line of the new footpath has been brought up to an acceptable standard be a public footpath over the land situate at Balsall Common described in Part 2 of the Schedule and shown by a bold black broken line on the map contained in this order and thereupon the Solihull Metropolitan Borough Council definitive map shall be modified by adding that path way to it.
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

Public footpath M148 at Magpie Lane, Balsall Common of undefined width beginning at its junction with Magpie Lane opposite the property known as Balsall Farm at NGR: SP2214, 7696. The footpath then travels in a generally north easterly direction for 195 metres to NGR: SP2231, 7706 where the path ends at its junction with Magpie Lane adjacent to the southern boundary of the property known as Jessamine Cottage as shown with a bold black line between points A to B on the plan.

Part 2

Description of site of new path or way

Beginning at NGR: SP2214, 7696 and having a width of 1.8 metres, the route travels in a north- easterly direction for 127 metres following the field boundary to NGR: SP2226, 7700. From here the route turns and heads generally in a northerly then north easterly direction for 75 metres to NGR: SP2231, 7706 where the diversion ends at the junction with Magpie Lane adjacent to the southern boundary of the property known as Jessamine Cottage as shown with a bold black broken line between points A to C to B on the plan.

Part 3

Limitations

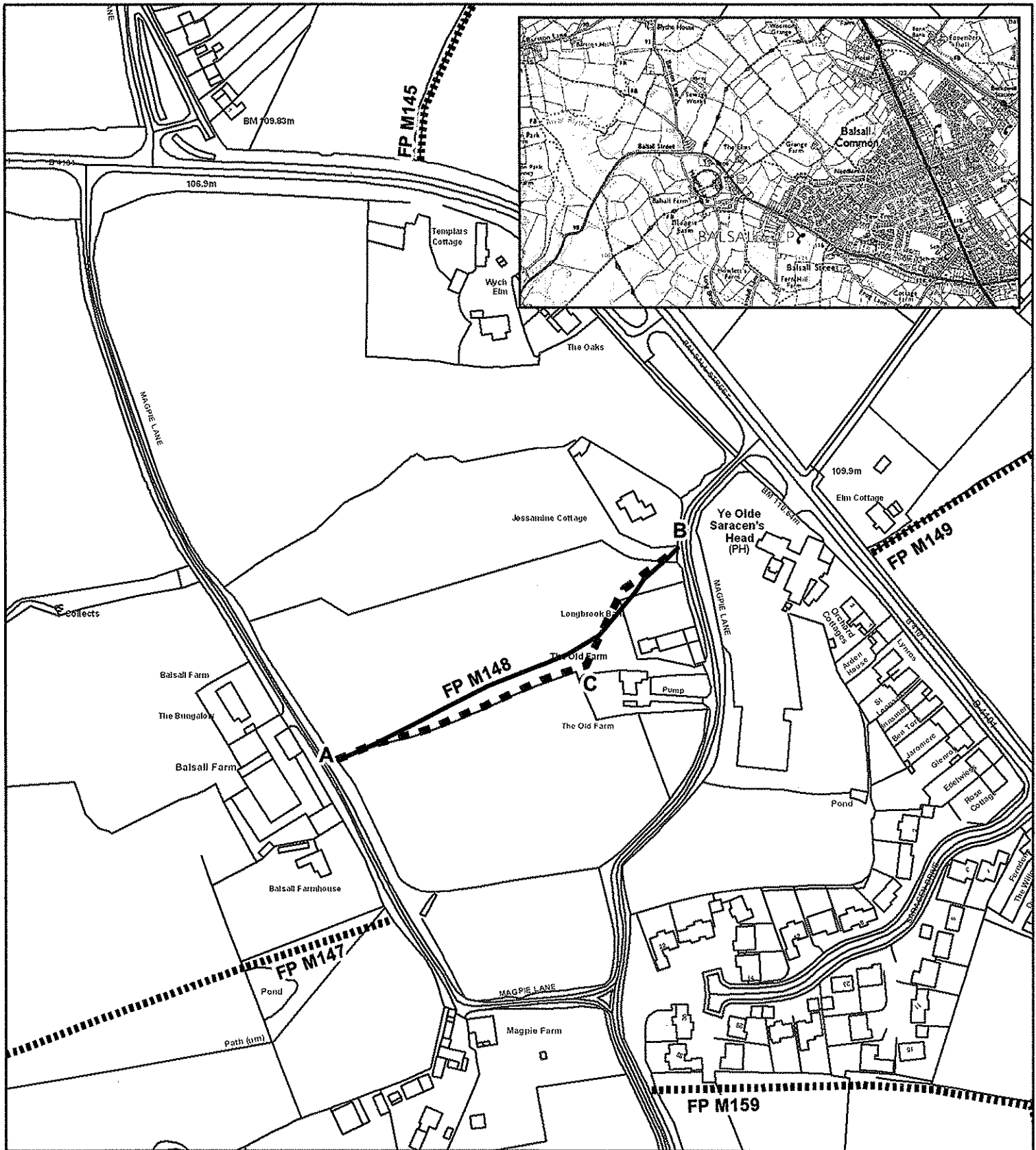
The new public footpath shall be subject to the limitation of kissing-gates in the hedge line at NGR: SP2214, 7696 (point A) and at NGR: SP2231, 7706 (point B).

DATED

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METROPOLITAN BOROUGH OF SOLIHULL)

was hereunto affixed in the presence of:-)

Solicitor to the Council



Highways Act 1980 Section 119 Diversion of Public Footpath M148 - Magpie Lane, Balsall Common

Key:
 Route to be extinguished: A - B
 Route to be created: A - C - B
 Routes unaffected

Grid references: Point A - SP2214, 7696
 Point B - SP2231, 7706
 Point C - SP2226, 7700



Metropolitan Borough of Solihull
 PO Box 18
 Council House
 Solihull
 West Midlands
 B91 9QS

Scale: 1:2,500 Date: 15/07/13 Plan Drawn By: D. Keaney

This is not the Definitive Map but a working copy. While every effort has been made to ensure the accuracy of the data presented, we cannot guarantee that the data will always be accurate and complete. The data is intended to be viewed at a scale of 1:2,500 or smaller. Produced from Ordnance Survey 1:1250 mapping with permission of the Controller of Her Majesty's Stationery Office © Crown copyright Licence No. LA100023139 (2007). Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.