

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

**The Oxfordshire County Council,
Ewelme Footpath No. 32 (part) and
Brightwell Baldwin Footpath No.2 (part),
Public Path Diversion and Definitive Map and Statement Modification
Order 2021.**

This Order is made by The Oxfordshire County Council ('the authority') under section 119 of the Highways Act 1980 because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in Article 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 Oxfordshire County Council Definitive Map and Statement of Public Rights of Way for Oxfordshire 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.

Mr Andrew Lindsay has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the way into a fit condition for use by the public.

South Oxfordshire District Council has been consulted as required by Section 120(2) of the Highways Act 1980.

BY THIS ORDER:

1. The public right of way over the land situated at Whitehouse Farm in the Parishes of Ewelme and Brightwell Baldwin 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 extinguished on the date on which Oxfordshire County Council, as local highway authority, certifies that the route described in Article 2 (below) has been brought into a fit condition for use by the public, and thereupon the Oxfordshire County Council Definitive Map of Public Rights of Way for Oxfordshire shall be modified by deleting from it that public right of way, and the Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
2. There shall be from the date of confirmation a public footpath over the land situated at Whitehouse Farm in the Parish of Brightwell Baldwin (as described in Part 2 of the Schedule) and shown by a bold broken line on the map attached to this Order, and thereupon the Oxfordshire County Council Definitive Map of Public Rights of Way for Oxfordshire shall be modified by adding that right of way to it, and the Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.

3. Notwithstanding this Order, statutory undertakers with apparatus over/under the land described in Article 1 above shall continue to have the same rights in respect of such apparatus as they had immediately before the date of this Order.

Dated this 28th day of June 2021

THE COMMON SEAL OF THE OXFORDSHIRE COUNTY COUNCIL
was hereto affixed in the presence of:-



County Solicitor/Designated Officer



912/21

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING WAY

Ewelme Footpath No. 32

The entire width of Ewelme Fp No. 32 from OS Grid Reference SU 6417 9489 (Point A on the Order plan) north-north-westwards for approximately 447m to the Brightwell Baldwin Parish boundary north of Whitehouse Farm at OS Grid Ref SU 6400 9530 (Point B).

Brightwell Baldwin Footpath No. 2

The entire width of Brightwell Baldwin Fp 2 from the Ewelme Parish boundary north of Whitehouse Farm at OS Grid Reference SU 6400 9530 (Point B on the Order plan) north-north-westwards for approximately 40m to OS Grid Ref SU 6398 9533 (Point C) and then east-north-eastwards for approximately 91m to OS Grid Ref SU 6406 9538 (Point D).

PART 2

DESCRIPTION OF SITE OF NEW WAY

Brightwell Baldwin Footpath No. 2.

A new footpath running from OS Grid Reference SU 6417 9489 (Point A on the Order plan) east-north-eastwards for approximately 122m to the access drive to Whitehouse Lodge at OS Grid Ref SU 6428 9493 (Point E), eastwards along the drive for approximately 28m to OS Grid Ref SU 6431 9493 (Point F) and then north-north-westwards for approximately 515m through OS Grid Ref SU 6431 9493 (Point G), OS Grid Ref SU 6425 9504 (Point H) to OS Grid Ref SU 6406 9538 (Point D).

Widths:

3m between OS Grid Reference SU 6417 9489 (Point A), SU 6431 9493 (Point F) and SU 6425 9504 (Point H).

1.5m between OS Grid Ref SU 6425 9504 (Point H) and SU 6406 9538 (Point D).

PART 3

LIMITATIONS AND CONDITIONS

The right of the landowner to install and maintain pedestrian gates to British Standard at OS Grid Ref SU 6431 9493 (Point G) and OS Grid Ref SU 6425 9504 (Point H).

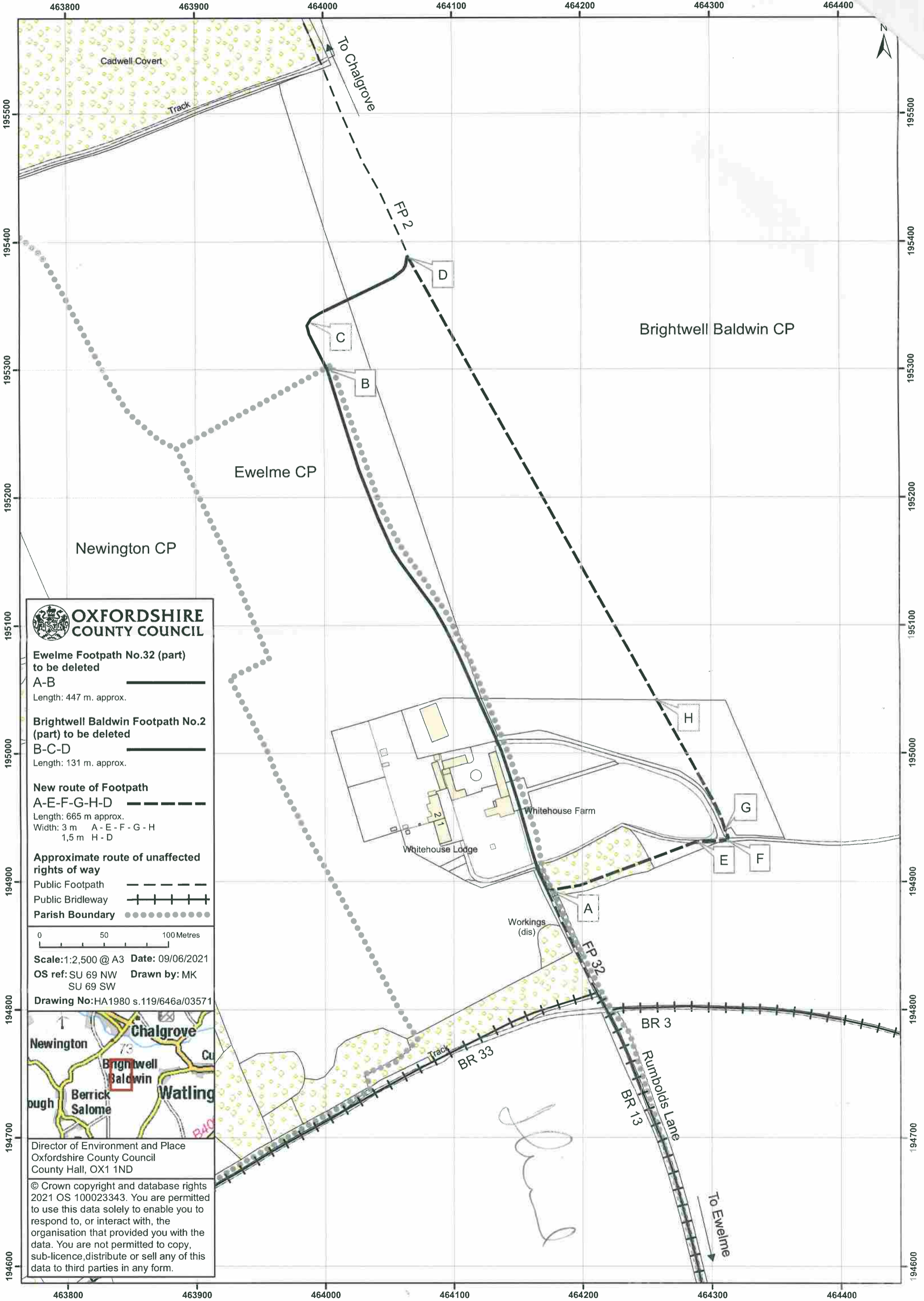
PART 4

Modification of Definitive Statement

Variation of particulars of path or way

Path Number	Status	Description	Width	Conditions & Limitations	Remarks (not forming part of the Definitive Statement)
Ewelme 32	FP	From the junction of BRs 13 (Rumbold's Lane) and 33 (Hollandtide Bottom), S of Whitehouse Farm, leading NNW [to SU 6417 9489]. [through Whitehouse Farm to the Brightwell Baldwin Parish boundary].	-		[Diversion Order confirmed] * (* date of confirmation to be advised)
Brightwell Baldwin 2	FP	From the Ewelme Parish boundary [N] [S] of Whitehouse Farm leading generally [NE][ENE] and [NW] [NNW] to the Chalgrove Parish boundary at the NE corner of Cadwell Covert.	6ft Inclosure Award [3m between SU 6417 9489 & SU 6425 9504. 1.5m between SU 6425 9504 & SU 6425 9504].	[The right of the owner to install and maintain a pedestrian gate at SU 6431 9493 and SU 6425 9504].	[Diversion Order confirmed] * (* date of confirmation to be advised)

Highways Act 1980 sec.119 - Order to Divert Ewelme Footpath No.32 (part) and Brightwell Baldwin Footpath No.2 (part)



Ewelme Footpath No.32 (part) to be deleted
A-B
 Length: 447 m. approx.

Brightwell Baldwin Footpath No.2 (part) to be deleted
B-C-D
 Length: 131 m. approx.

New route of Footpath
A-E-F-G-H-D
 Length: 665 m approx.
 Width: 3 m A - E - F - G - H
 1,5 m H - D

Approximate route of unaffected rights of way
 Public Footpath
 Public Bridleway
 Parish Boundary

0 50 100 Metres

Scale: 1:2,500 @ A3 Date: 09/06/2021
 OS ref: SU 69 NW Drawn by: MK
 SU 69 SW
 Drawing No: HA1980 s.119/646a/03571



Director of Environment and Place
 Oxfordshire County Council
 County Hall, OX1 1ND

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Dated 28th June 2021

**The Oxfordshire County Council,
Ewelme Footpath No. 32 and
Brightwell Baldwin Footpath
No. 2 (part).
Public Path Diversion and Definitive
Map and Statement Modification Order
2021**

The **Common Seal** of The **Oxfordshire County Council**)
was hereto affixed the day of 2021)
in confirmation of the diversion and modification)
in the within-written Order in the presence of:-)

Designated Officer