

**PUBLIC PATH DIVERSION
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
HIGHWAYS ACT 1980 – SECTION 119
WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53A (2)**

**THE WILTSHIRE COUNCIL CASTLE COMBE 7 AND YATTON KEYNELL 25
DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
2023**

This order is made by Wiltshire 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 owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path 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 Calne and Chippenham Rural District Council Area Definitive Map and Statement dated 1953 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.

Castle Combe and Yatton Keynell Parish Councils have 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 Lower Colham Mill, Castle Combe, SN14 7HZ and shown by a bold continuous line on the plan contained in this order and described in Part 1 of the Schedule to this order shall be stopped up on such date as the authority certifies that the work bringing the new site of the path into a fit condition for use by the public has been carried out and thereupon the Calne and Chippenham Rural District Council Area Definitive Map dated 1953 shall be modified by deleting from it that public right of way.
2. 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.
3. There shall be at the end of 90 days from the confirmation of this order be a public footpath over the land situate at Lower Colham Mill, Castle Combe, SN14 7HZ as described in Part 2 of the Schedule and shown by a

27 AUG 2025

The foregoing order, subject to the red ink modifications thereon, is hereby confirmed by the Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs, as set out in the associated decision letter.

bold broken line on the plan contained in this order, and thereupon the Calne and Chippenham Rural District Council Area Definitive Map dated 1953 shall be modified by adding that public right of way to it.

4. 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.

And thereupon the Calne and Chippenham Rural District Council Area Definitive Statement dated 1953 shall be modified as described in part 3 of the Schedule of this Order.

THE COMMON SEAL OF
THE WILTSHIRE COUNCIL
was hereunto affixed this
23rd August 2023
in the presence of:

}
}
}
}


EMMA HILDAY
Authorised Signatory
Wiltshire Council



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That entire width and length of that public right of way shown leading from point A, on the attached plan, at OS Grid Reference ST 84576 75988, in broadly southerly direction for approximately 220 metres to point C at OS Grid Reference ST 84605 75768.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

That length of public footpath leading from point A on the attached plan, at OS Grid Reference ST 84576 75988 leading south easterly and broadly south on the east side of the By Brook, then turning south westerly over a footbridge over the By Brook at point B and continuing south westerly to point C at OS Grid Reference ST 84605 75768, the path having a width of 2 metres other than the footbridge which will have a width of 1.4 metres.

PART 3

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to read:-</u>	<u>Modified under Section 53 (3) as specified</u>
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Castle
Combe

7

FOOTPATH. From path No.3 at Rack Hill leading south for about 59 metres into the Parish of Yatton Keynell and its junction with path Yatton Keynell 25. Re emerging into the parish of Castle Combe south of Lower Colham Mill at the footbridge over the By Brook then continuing south west, south and south east where it crosses the By Brook again at its junction with path Yatton Keynell 30. The path re-enters the parish of Castle Combe as path No.7 as it crosses the By Brook south of By Brook House , it continues for approximately 25 metres to its junction with Castle Combe path No.9 at OS grid ref. ST 8505 7561 east of Lower Long Dean Mill.

53(3)(a)(i)

Width of 0.6 metres except for sections from OS grid ref. ST 8461 7570 to ST 8505 7561 and between ST 84641 75827 to ST 84605 75768 which have a width of 2 metres.

Approximate length 318 metres.

LIMITATIONS AND CONDITIONS

Footbridge over By Brook at ST 84643 75830 on parish boundary will have a width of 1.4 metres.

PART 3 (Continued)

MODIFICATION OF DEFINITIVE STATEMENT

<u>Variation of particulars of path or way</u>			
<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to read:-</u>	<u>Modified under Section 53 (3) as specified</u>
Yatton Keynell	25	<u>FOOTPATH</u> From the footbridge over the by Brook to Rack Hill, leading north and north west before turning west to its northern junction with Castle Combe path No.7.	53(3)(a)(i)

Approximate length 336 metres

Width 0.6 metres , other than the section between OS grid reference ST 84645 75833 and ST 84576 75988 which has a width of 2 metres.

LIMITATIONS AND CONDITIONS

Footbridge over the By Brook at ST 84643 75830 on the parish boundary will have a width of 1.4 metres.

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KEYNELL 25 DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2023

