

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

**TOWN AND COUNTRY PLANNING ACT 1990
AND WILDLIFE AND COUNTRYSIDE ACT 1981**



PUBLIC FOOTPATH 180 GUNNESS

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

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

NORTH LINCOLNSHIRE COUNCIL

PUBLIC FOOTPATH 180 GUNNESS (1)

This order is made by North Lincolnshire Council (“the authority”) under section 257 of the Town and Country Planning Act 1990 (“the 1990 Act”) because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely: planning permission (PA/2011/1008) to demolish Trent Valley Garden Centre and its associated structures (including three residential properties) and erect a retail park with associated access roads, car parking, servicing areas and hard and soft landscaping.

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 “County of Lincoln, Parts of Lindsey (Glanford Brigg)” 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 hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order (“the Schedule”) shall be diverted, and the “County of Lincoln, Parts of Lindsey (Glanford Brigg)” definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of North Lincolnshire Council an alternative highway for use as a replacement for the said 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 North Lincolnshire Council certify that the terms of Article 2 have been complied with, and upon the occurrence of that diversion the “County of Lincoln, Parts of Lindsey (Glanford Brigg)” definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 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. The following works shall be carried out in relation to the highway as described in Part 2 of the Schedule: the laying of a slag/slag dust path. The slag/slag dust path will be constructed as follows: excavate a 2.5m wide trench to a depth of 150mm. Timber edgings to both sides, then fill to a depth of 125mm with 20mm dust of slag. This to be compacted. Fill to the top of the edging boards with slag dust and compact. The timber edgings to match the final ground level. Further slag dust to be added and compacted if necessary.
5. Simons Group of 991 Doddington Road, Lincoln, LN6 3AA, is hereby required to pay for the full cost of carrying out the said works.

**The COMMON SEAL OF
NORTH LINCOLNSHIRE COUNCIL**

Was hereunto affixed

in the presence of:



Seal Number: 6881

Dated: 2nd May 2012



SCHEDULE

PART 1

Description of site of existing path

Point A—D as indicated on the map: a 250-metre-long footpath commencing at grid reference SE86691107 where the path joins a public highway known as Doncaster Road and proceeding first in a southerly, then in a south south westerly, then in a southerly direction to grid reference SE86651082.

PART 2

Description of site of new path

Point B—C as indicated on the map: a 247-metre-long footpath of a width of 2.5 metres within a landscaped open corridor of five metres commencing at grid reference SE86701107 at a point on the public highway known as Doncaster Road and

proceeding in a southerly direction, along the eastern perimeter of the development site, to grid reference SE86681082.

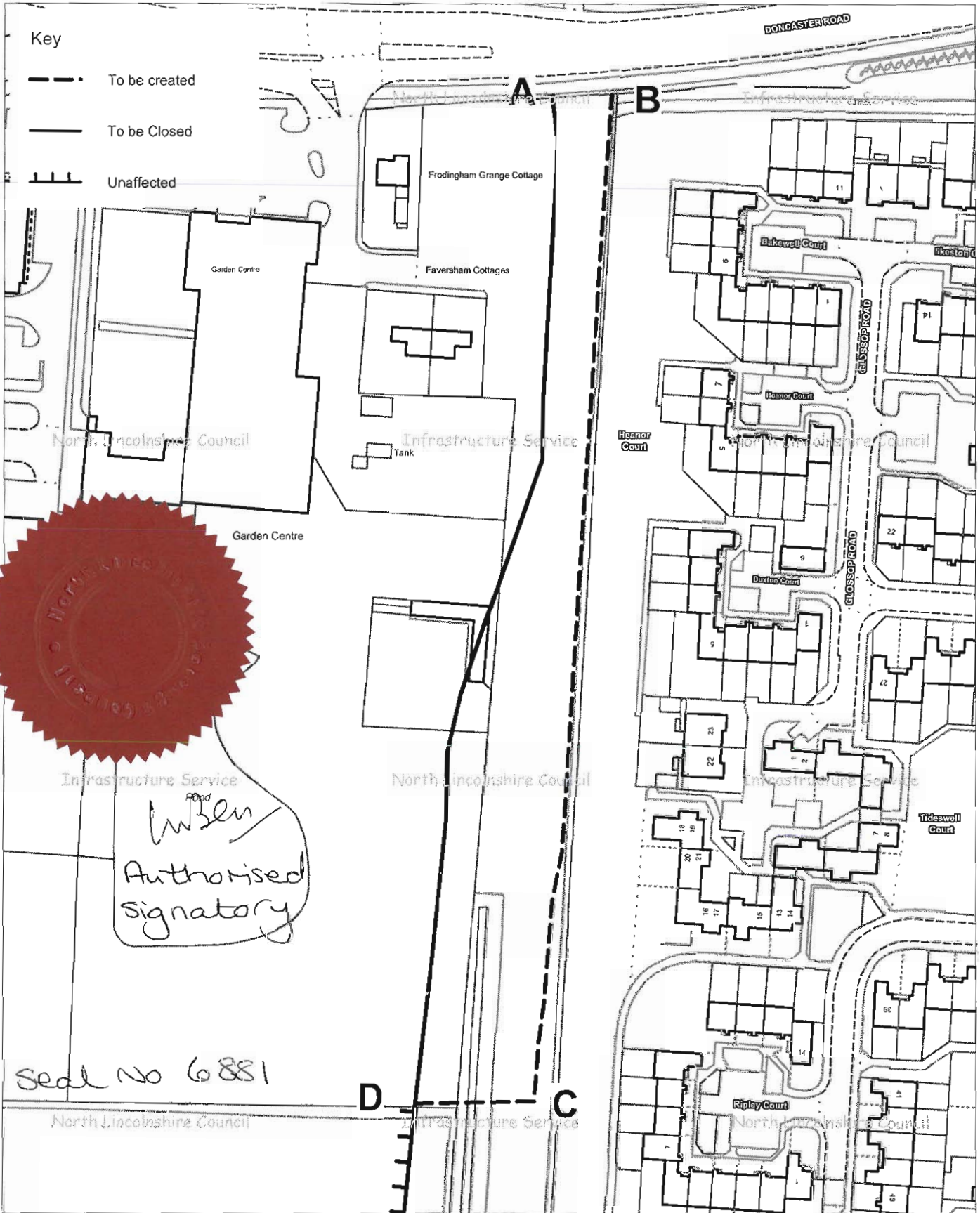
Point C—D as indicated on the map: a 29-metre-long footpath of a width of 2.5 metres commencing at grid reference SE86681082 and proceeding west to a point on the existing public footpath at grid reference SE86651082.

PART 3

Modification of Definitive Statement

Variation of Particulars of Path

A 276-metre-long footpath of a width of 2.5 metres commencing at grid reference SE86701107 at a point on the public highway known as Doncaster Road and proceeding in a southerly direction on the western side of a hedge to grid reference SE86681082 thence west on the northern side of a proposed security fence to grid reference SE86651082.



Drawing Title: FP180 Gunness Order Map

OS Grid Ref: SE86671094

Drawn by: DAS

Scale: 1:1,250

Date: 20/04/2012



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Infrastructure Service

Director,

Peter Williams BSc, DMS, CEng, MEI, MCM, AMIMEch

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**Town and Country Planning Act 1990, section 257
and Wildlife and Countryside Act 1981, section 53A(2)**

Confirmation of Order

Public Footpath 180 Gunness

**THE COMMON SEAL of
NORTH LINCOLNSHIRE COUNCIL**

Was hereunto affixed
In the presence of:



Authorised signatory:

Seal Number: 6925

Dated: 12th July 2012

