

Please reply to: Rob Sekula (Specialist – Assets & Place Making)  
West Devon Borough Council – [Rob.Sekula@swdevon.gov.uk](mailto:Rob.Sekula@swdevon.gov.uk)  
Kilworthy Park, Tavistock, PL19 0BZ



South Hams  
District Council



West Devon  
Borough  
Council

*Working together*

Our ref: PROW/FP3/TAV  
Date: 7 August 2018

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

**SOUTH HAMS DISTRICT COUNCIL  
(PUBLIC FOOTPATH NO.3, TAVISTOCK)  
PUBLIC PATH DIVERSION ORDER 2018**

I write to invite your comments on a proposal to divert part of Public Footpath No.3, Tavistock as shown on the attached plan.

The proposal arises from an application made by the landowner, who has undertaken to pay the costs of the diversion. The reason for the diversion is to accommodate a new development.

The District Council may make Public Path Orders under the Town & Country Planning Act 1990 (Sec. 257 & para 1 of Schedule 14), where planning applications require the diversion or extinguishment of a public right of way when it is deemed necessary to enable a development to go ahead.

I would be pleased to receive any comments you may have on this proposal **no later than Thursday 30<sup>th</sup> August 2018.**

Yours sincerely

**Rob Sekula**  
**Specialist – Assets & Place Making**  
**South Hams District Council**



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DATED

2nd August

2018

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

& PARAGRAPH 1 OF SCHEDULE 14

WEST DEVON BOROUGH COUNCIL

(FOOTPATH NO.3, TAVISTOCK)

PUBLIC PATH DIVERSION

ORDER 2018

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**  
**& PARAGRAPH 1 OF SCHEDULE 14**

**WEST DEVON BOROUGH COUNCIL (FOOTPATH NO.3 TAVISTOCK)**

**PUBLIC PATH DIVERSION ORDER 2018**

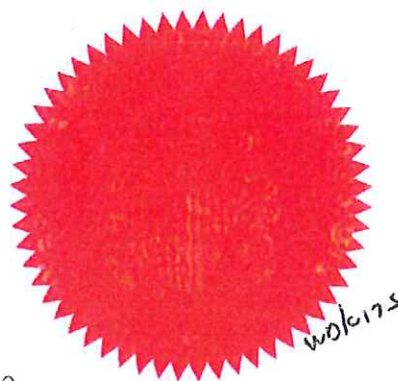
W H E R E A S the WEST DEVON BOROUGH COUNCIL (hereinafter called "the Council") are satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with anticipation of planning permission under Part III of the Town and Country Planning Act 1990 or the enactments replaced by that part of that Act namely development at the land at SX 4722 7457 adjacent to New Launceston Road Tavistock.

N O W T H E R E F O R E the Council in pursuance of the powers in that behalf conferred by Section 257 of the Town and Country Planning Act 1990 hereby make the following Order:-

1. The footpath over the land shown by a bold black line on the map annexed hereto and described in Part I of the Schedule hereto shall be diverted as provided by this Order
2. There shall be created to the reasonable satisfaction of the Council an alternative highway for use as a replacement for the footpath referred to in Article 1 above as specified in and over the land described in Part II of the Schedule hereto and shown by bold black alternating short/long dashed line on the map contained in this Order
3. The diversion of the footpath shall have effect on the date on which the Council certify that the terms of Article 2 have been complied with

4. The landowner is hereby required to pay the cost of carrying out the said works
5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, 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
6. This Order may be cited as the West Devon Borough Council (Public Footpath No. 3, Tavistock) Public Path Diversion Order 2018.

THE COMMON SEAL of WEST DEVON )  
 )  
 BOROUGH COUNCIL was hereunto )  
 )  
 affixed in the presence of:- )



*[Handwritten Signature]*  
 Solicitor / Legal Executive

**SCHEDULE**

**PART I**

**DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

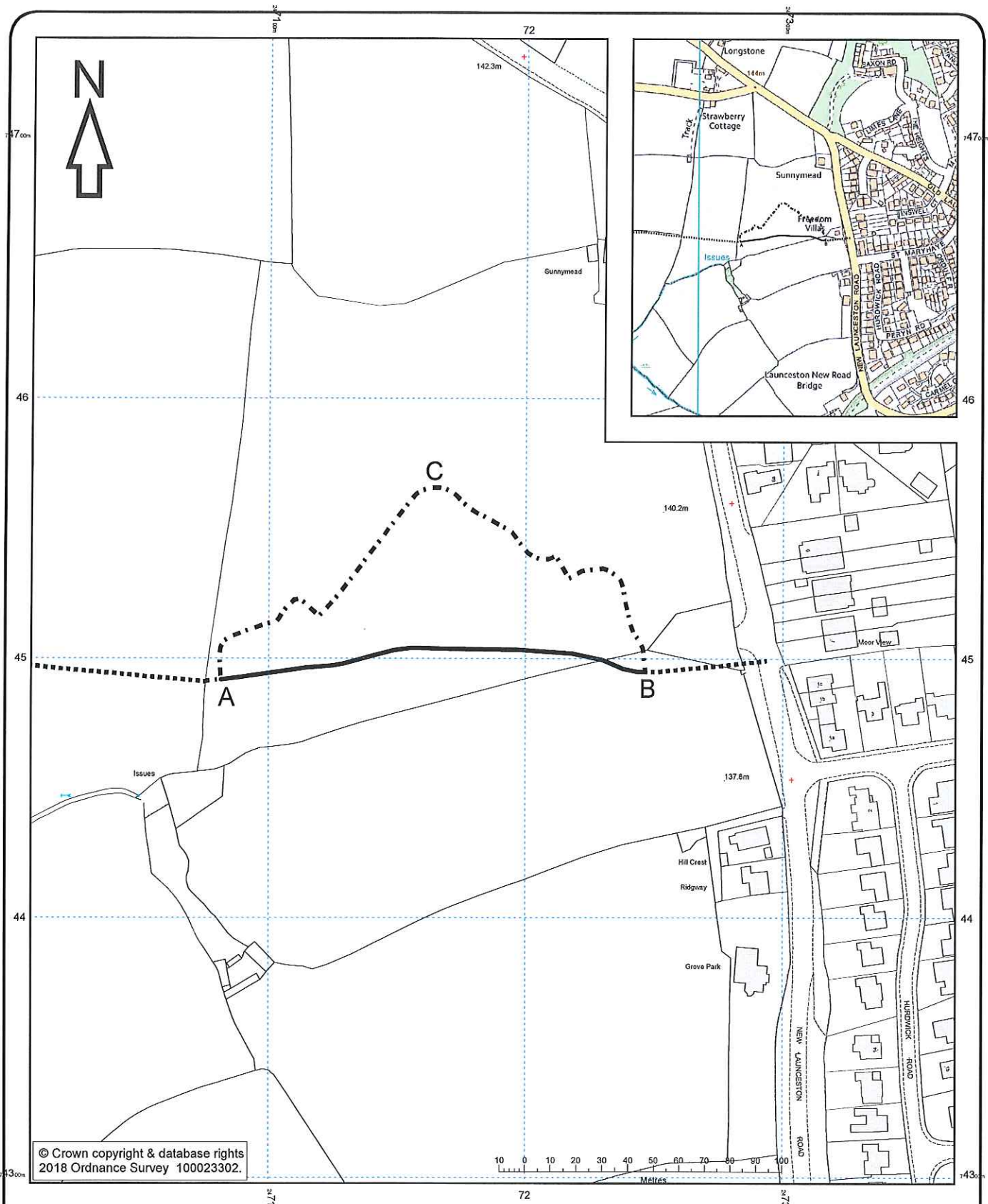
Section of path or way as indicated on map	Position	Width
A-B (167 meters)	From point A (SX 47074 74478) the footpath runs generally east to point B (SX 47250 74493), a distance of 167 meters.	The whole width



## PART II

### DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

Section of highway as indicated on map	Position	Width
A-C-B (261 meters)	From Point A, the PROW follows a section of hoggin path through Public Open Space for c.40m in a generally north-east direction, a section of private drive for c.10m, and re-joins hoggin path for c.151m through Public Open Space first in a north-east direction (to point C), then in a south-east direction, before following pavement adjacent to the new adoptable estate road for c.60m to Point B.	Undefined along section of 3.5m wide private drive, block paving surface  2m wide through Public Open Space, hoggin surface with timber edge  2m wide footway adjacent to adoptable roads, blacktop surface



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2018 Ordnance Survey 100023302.

## West Devon Borough Council

### Proposed Public Path Diversion Order

#### Footpath No. 03 Tavistock

Drawing No:  
Scale: 1:2000  
Date: 17/07/2018  
Drawn by: RS

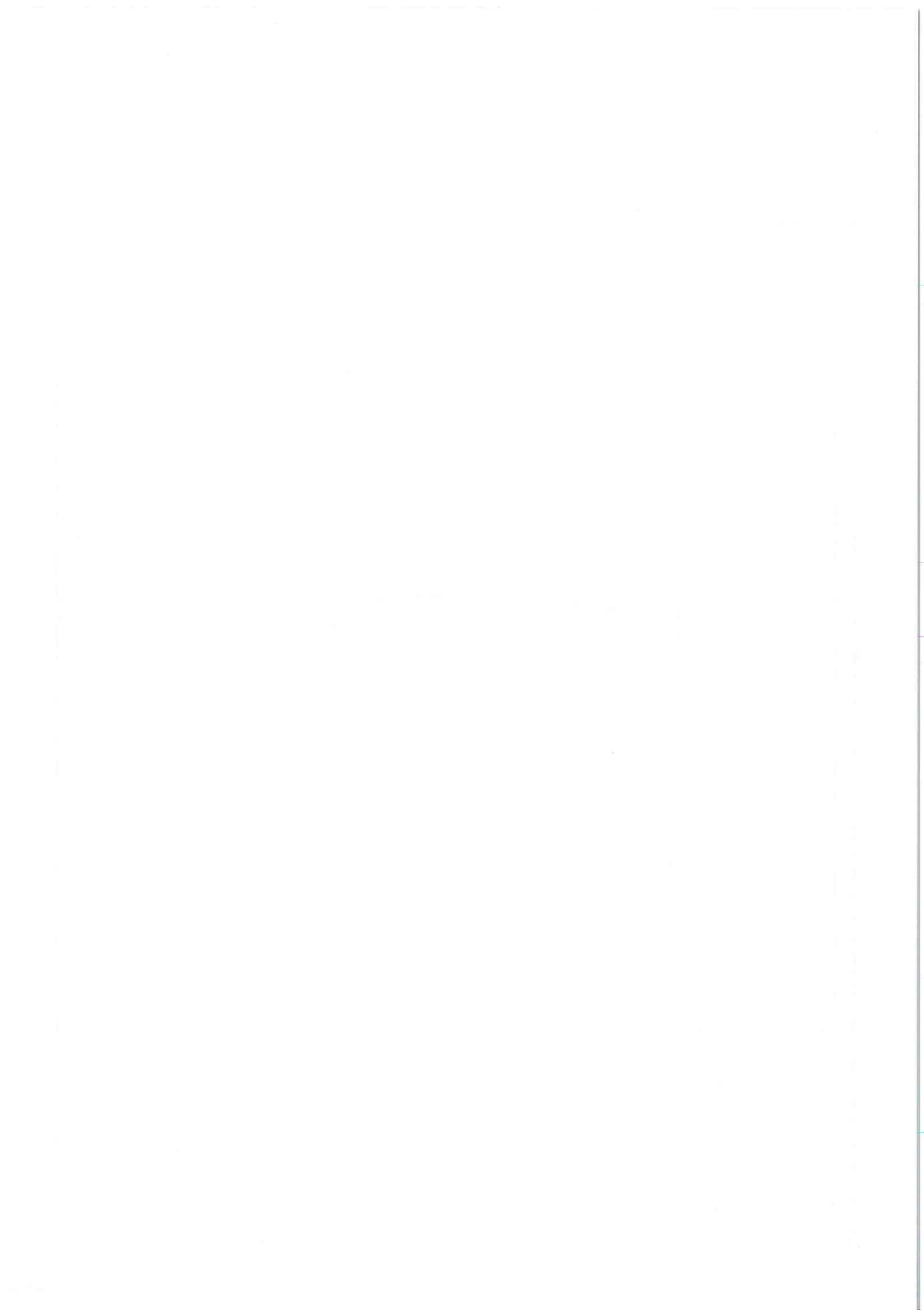


**West Devon  
Borough  
Council**

Notation	Existing	To be extinguished	To be created
	■■■■■	A - B ( 167 metres)	A - B ( 261 metres)

Map Reference: SX 472 745

**Sophie Hoskins**  
Chief Executive





**WEST DEVON BOROUGH COUNCIL**

**NOTICE OF PUBLIC PATH ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257  
& PARAGRAPH 1 OF SCHEDULE 14**

**WEST DEVON BOROUGH COUNCIL  
(PUBLIC FOOTPATH NO 3, TAVISTOCK)  
PUBLIC PATH DIVERSION ORDER 2018**

The above order was made on Wednesday 2<sup>nd</sup> August.

The effect of the order will be to divert part of Public Footpath No.3, Tavistock as follows. The footpath (167 meters) shall be extinguished between point A (SX47074 74478) and point B (SX47250 74493).

A new footpath (261 meters) will be created between the same point A and point B, diverting northeast along a short section of private drive, through an area of new public open space to point C and then southeast along pavement adjacent to adoptable roads as shown on the order map. The reason for the diversion is to accommodate a new housing development

A copy of the Order and the Order map may be seen free of charge at the Council Offices, Kilworthy Park, Tavistock, between 9.00 am to 4.30 pm on Mondays to Fridays. Copies of the order and map may be bought there at the price of £5.00.

Any representation about or objection to the order may be sent or delivered in writing to Rob Sekula (Specialist), Assets Community of Practice, South Hams District Council at the address below not later than Thursday 30<sup>th</sup> August 2018. Please state the grounds on which it is made.

If no such representations or objections are duly made, or if any so made are withdrawn, South Hams District Council may itself confirm the order as an unopposed order. If the order is submitted to the Secretary of State for the Environment, Food and Rural Affairs for confirmation, any representations or objections which have not been withdrawn will be sent with the order.

DATED Thursday 2<sup>nd</sup> August 2018

Mr Rob Sekula  
Specialist (Assets Community of Practice)  
West Devon Borough Council  
Kilworthy Park  
Tavistock  
PL19 0BZ

