

Dated 20th May 2019

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

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

METROPOLITAN BOROUGH COUNCIL OF SEFTON
**FORMBY FOOTPATH No. 6 (PART) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER 2019**

**David McCullough,
Chief Legal & Democratic Officer
Sefton MBC
Magdalen House
Trinity Road
Bootle
Merseyside L20 3NJ**

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

**METROPOLITAN BOROUGH COUNCIL OF SEFTON
FORMBY FOOTPATH No. 6 (PART), METROPOLITAN BOROUGH OF SEFTON
PUBLIC PATH DIVERSION ORDER 2019**

This Order is made by the Metropolitan Borough Council of Sefton ('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, and the public, it is expedient that the line of the path should be diverted.

This Order is also made under section 53A(2) of the Wildlife Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the Definitive Map and Statement of Public Rights of Way for the Metropolitan Borough of Sefton 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 Definitive Map and Statement.

Formby Parish Council 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 situated at Formby, Merseyside, in the Metropolitan Borough of Sefton 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 stopped up on the date that the Authority certifies that all work to bring the public footpath described in Part 2 of the Schedule into a fit condition for use by the public has been carried out, and thereupon the Definitive Map of Public Rights of Way for the Metropolitan Borough of Sefton shall be modified by deleting from it that public right of way.
2. There shall be on the day after confirmation of this Order a public footpath over the land situated at Formby, Merseyside in the Metropolitan Borough of Sefton described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this Order, and thereupon the Definitive Map of Public Rights of Way for the Metropolitan Borough of Sefton shall be modified by adding that public right of way to it.
3. The Definitive Statement of Public Rights of Way for the Metropolitan Borough of Sefton shall be modified as described in Part 4 of the Schedule to this Order.

SCHEDULE

PART 1

DESCRIPTION OF EXISTING PATH OR WAY

Section of footpath as shown on the Order Map (DC1824)	Position (All lengths and compass points are approximate)	Width
Part of Formby Footpath No.6 marked by a bold continuous line and shown as B-C-D	Starting from O.S Grid Reference SD 330652, 409261 (Point B) the path runs generally in a south westerly direction for 153 metres to O.S Grid reference SD 330555, 409142 (Point C), and then in a southerly direction for 163 metres to O.S Grid reference SD 330551, 408976 (Point D).	The entire width
Total length of existing footpath: 316 metres.		

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Section of footpath as shown on the Order Map (DC1824)	Position (All distances and compass points are approximate)	Width
A footpath marked by a bold line and shown as B-E-D	Commencing at 5 metres south west from the beginning of the path, at O.S Grid Reference SD 330652,409261 (Point B), the route continues as a natural path between fencing generally in a west south westerly direction for 140 metres to O.S Grid Reference SD 330520, 409199 (Point E), then continues in a generally southerly direction for a distance of 232 metres to O.S Grid Reference SD 330551,408976 (Point D) where it meets the Formby Bypass .	2 metres
Total length of new footpath: 372 metres.		

PART 3

LIMITATIONS AND CONDITIONS

Footbridge across open drainage ditch at Southport Old Road.

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

The Definitive Statement for Formby Footpath No.6 to be amended as follows:

Description of path or way to be deleted:-

That length of footpath shown by a bold black line on the Order map DC1824, commencing at point B, and running generally in a south westerly direction for 153 metres to point C, O.S Grid reference SD 330555, 409142 and in a southerly for 163 metre to point D, O.S Grid reference SD 330551, 408976.

Description of path or way to be added:-

Commencing at 5 metres south west from the beginning of the path, at O.S Grid Reference SD 330652, 409261 (Point B), the route continues as a 2 metre wide natural path between fencing generally in a west south westerly direction for 140 metres to O.S Grid Reference SD 330520, 409199 (Point E), then continues in a generally southerly direction for a distance of 232 metres to O.S Grid Reference SD330551,408976 (Point D), where it meets the Formby Bypass as shown as a bold broken line B – E – D on the Order Map (DC1824).

Delete:-

"and running in a south-westerly direction to a stile in the hedge of the By-pass Road."
"Length .21 Miles"

Add:-

"the route continues as a 2 metre wide natural path between fencing generally in a west south westerly direction for 140 metres, then continues in a generally southerly direction for a distance of 232 metres where it meets the Formby Bypass".

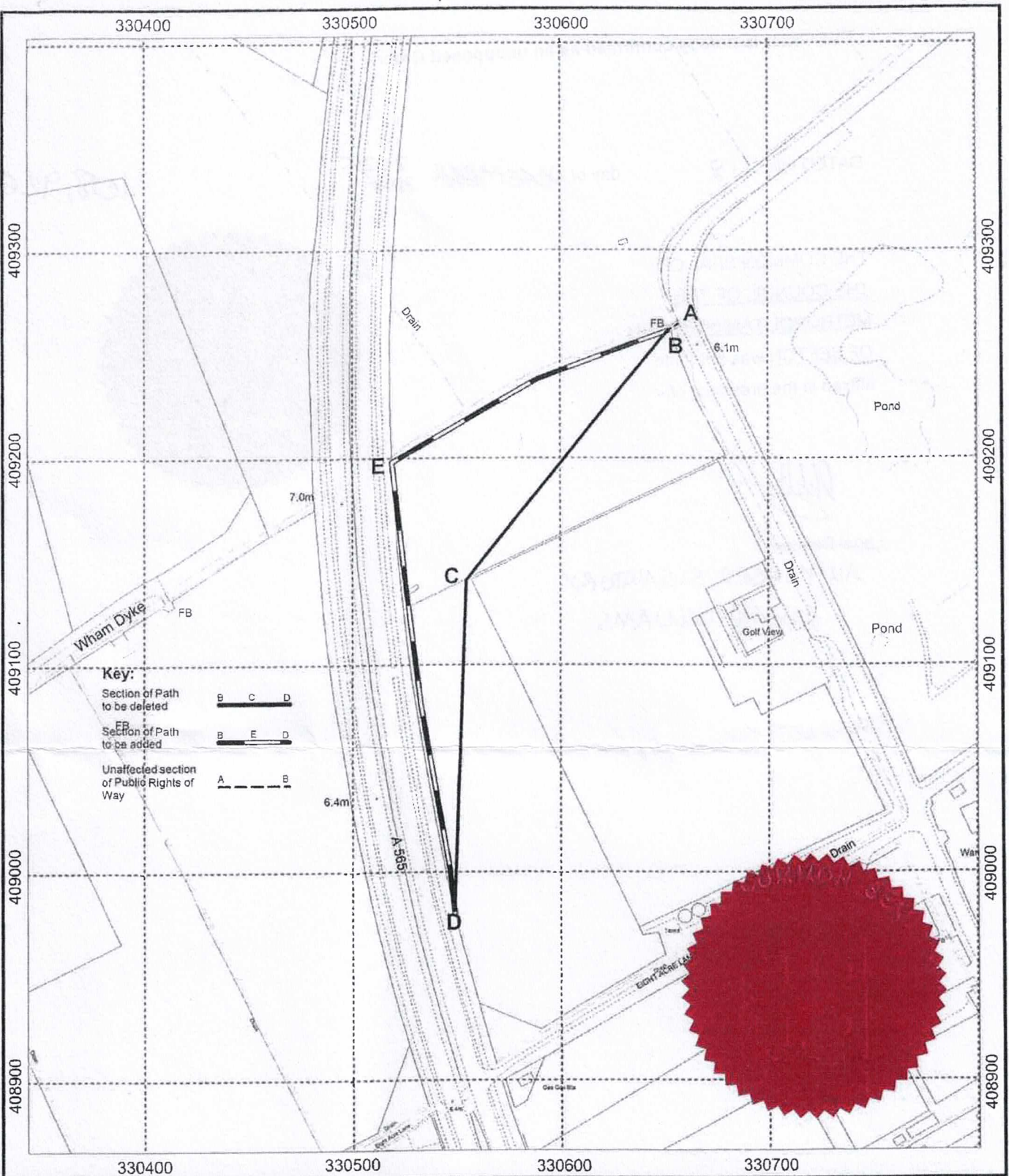
The overall length is 377 metres.

THE COMMON SEAL of THE)
METROPOLITAN BOROUGH)
COUNCIL OF SEFTON was)
hereunto affixed this 20th day)
of May 2019 in the)
presence of:)



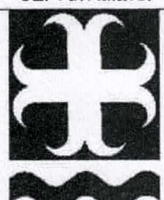
Authorised Signatory

Richard (Gy)



102, 687

SEFTON M.B.C.





HIGHWAYS DEVELOPMENT & DESIGN

Jim Black
Locality Services - Commissioned
Magdalen House
Trinity Road
Boole L20 3NJ

Section 119 Highways Act 1980
Diversion Order

Formby Footpath No.6

Drawn By: BG	Scale: 1:2500 at A4	Date: 6 July 2018	Checked: B Mason
Ward: Harrington	Os Sheet Name: SD3009se		DC1824
<small>This map is reproduced from Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Sefton Council Licence number 100018192. (c) 2018.</small>			

This Order is hereby confirmed as an unopposed Order.

DATED this 18 day of ~~DECEMBER~~ 2025 ~~2008~~

108,926

THE COMMON SEAL OF
THE COUNCIL OF THE
METROPOLITAN BOROUGH
OF SEFTON was hereunto
affixed in the presence of:-



A handwritten signature in black ink, appearing to read 'Dafydd Williams', written over the printed name below.

~~Legal Director~~

AUTHORISED SIGNATORY

DAFYDD WILLIAMS