

Notice of Confirmation of a Public Path Order
Highways Act 1980

Bedford Borough Council

**BEDFORD BOROUGH COUNCIL (BRICKHILL: PART OF BRIDLEWAY No. 23)
PUBLIC PATH DIVERSION ORDER 2023**

To: Sue Bottoms

Of: Clerk to Brickhill Parish Council
St Mark's Church & Community Centre
Calder Rise
Brickhill
Bedford
MK41 7UY

clerk@brickhillparishcouncil.gov.uk

_LOCAL COUNCIL

On 13 April 2023 Bedford Borough Council confirmed the above Order made under Section 119 of the Highways Act 1980. The effect of the order as confirmed will divert that length of Public Bridleway numbered 23 in the Parish of Brickhill commencing from the west side of the public road B.660 known as "Kimbolton Road" approximately 5 metres east of 30, Rhineland Way, Brickhill at Ordnance Survey Grid Reference (OSGR) TL 0596/5271 shown as Point A on the attached map then running in a western direction for approximately 8 metres and then running in a generally northern direction for approximately 11 metres to a point where it has a junction with that part of Public Bridleway numbered 23 to be retained at OSGR TL 0596/5272 shown as Point B on the Order Map and divert the bridleway to a point approximately 5 metres north east of 30 Rhineland Way, Brickhill commencing from a point where it has a junction with that part of Public Bridleway numbered 23 to be retained at Ordnance Survey Grid Reference (OSGR) TL 0596/5272 shown as Point B on the attached map then running in a generally easterly direction for 2 metres to Ordnance Survey Grid Reference OSGR TL 0596/5272, approximately 5 metres west of the western margin of the public road known as "Kimbolton Road" shown as Point C on the Order map.

Compensation for depreciation or damage for disturbance arising as a result of the coming into force of the Order is payable under Section 28 as applied by section 121(2) of the Highways Act 1980 (as amended by the Transport and Works Act 1992) that are copied with this notice.

A copy of the Order and the Order map have been placed and may be seen free of charge at Borough Hall, Cauldwell Street, Bedford by appointment from 10am to 4pm on Weekdays (Bank and Public Holidays excepted). A copy of the Order as confirmed and the Order Map have been placed and may be downloaded free of charge from the Bedford Borough Council Website. Navigate to: <https://www.bedford.gov.uk/parking-roads-and-travel/public-rights-way/public-path-orders/>

The Order comes into force on 20 April 2023, but if any person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the grounds that it is not within the powers of the Highways Act 1980, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within six weeks from 27 April 2023 make an application to the High Court.

Borough Hall
Cauldwell Street, Bedford MK42 9AP

Phone: (01234) 267422 Fax: (01234) 228619
Web: www.bedford.gov.uk

Dated 27 April 2023

CRAIG AUSTIN
Director of Environment

Highways Act 1980 Section 28
Compensation for loss caused by public path creation order.

(1) Subject to the following provisions of this section, if, on a claim made in accordance with this section, it is shown that the value of an interest of a person in land is depreciated, or that a person has suffered damage by being disturbed in his enjoyment of land, in consequence of the coming into operation of a public path creation order, the authority by whom the order was made shall pay to that person compensation equal to the amount of the depreciation or damage.

(2) A claim for compensation under this section shall be made within such time and in such manner as may be prescribed by regulations made by the Secretary of State, and shall be made to the authority by whom the order was made.

(3) For the purposes of the application of this section to an order made by the Secretary of State under section 26(2) above, references in this section to the authority by whom the order was made are to be construed as references to such one of the authorities referred to in that subsection as may be nominated by the Secretary of State for the purposes of this subsection.

(4) Nothing in this section confers on any person, in respect of a footpath or bridleway created by a public path creation order, a right to compensation for depreciation of the value of an interest in the land, or for disturbance in his enjoyment of land, not being in either case land over which the path or way was created or land held therewith, unless the creation of the path or way would have been actionable at his suit if it had been affected otherwise than in the exercise of statutory powers.

(5) In this section "interest", in relation to land, includes any estate in land and any right over land, whether the right is exercisable by virtue of the ownership of an interest in land or by virtue of a licence or agreement, and in particular includes sporting rights.

Highways Act 1980 Section 121 (2)8
Supplementary Provisions as to Public Path Extinguishment and Diversion orders.

(2) Section 28 above (compensation for loss caused by public path creation order) applies in relation to public path extinguishment orders, rail crossing extinguishment orders, special extinguishment orders public path diversion orders, rail crossing diversion orders, special diversion orders and SSSI diversion orders as it applies in relation to public path creation orders but as if—

(a) the references in it to section 26(2) above were references to section 120(3) above, and

(b) in relation to special extinguishment orders, special diversion orders and SSSI diversion orders, the reference in section 28(4) to a footpath or bridleway included a reference to a restricted byway or a highway over which the public have a right of way for vehicular and all other kinds of traffic.

I certify that this is a true copy of the Order as it was when it was:

**CONFIRMED AS AN UNOPPOSED ORDER PUBLIC PATH DIVERSION ORDER
BY BEDFORD BOROUGH COUNCIL**

Signed: *Seamus McElduff*

Dated: 19/04/23

HIGHWAYS ACT 1980

BEDFORD BOROUGH COUNCIL

**BEDFORD BOROUGH COUNCIL (BRICKHILL: PART OF BRIDLEWAY No. 23)
PUBLIC PATH DIVERSION ORDER 2023**

THIS ORDER is made by the Bedford Borough 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 public and in the interest of the owners of the land crossed by the bridleway described in paragraph 1 of this Order it is expedient that the line of the bridleway should be diverted.

BY THIS ORDER

1. The public rights of way over the land situated in the environs of Rhineland Way, in the Parish of Brickhill and shown by a bold continuous line between Points A – B on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 7 (seven) days from the date of confirmation of this Order.
2. Notwithstanding paragraph 1 of this Order statutory undertakers shall have the same rights over the land referred to in paragraph 1 above, in respect of their apparatus under, in, upon, over, along or across the said land as they had immediately before the date of confirmation of this Order.
3. There shall be at the end of 7 (seven) days from the date of confirmation of this Order a public bridleway over the land situated north east of 30 Rhineland Way in the parish of Brickhill as described in Part 2 of the Schedule to this Order and shown by a bold broken line with cross bars between Points B - C on the map attached to this Order.
4. This Order may be cited as the "Bedford Borough Council (Brickhill: Part of Bridleway No. 23) Public Path Diversion Order 2023".

Dated this 01 day of MARCH 2023

THE COMMON SEAL OF
BEDFORD BOROUGH COUNCIL

was hereunto affixed
in the presence of:-

David Doorne

Authorised Signatory



David Doorne
Solicitor
Service Manager (GPPL)
Legal Services
Bedford Borough Council

Borough Hall
Cauldwell Street, Bedford MK42 9AP

Phone: (01234) 267422 Fax: (01234) 228619
Web: www.bedford.gov.uk

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Bridleway numbered 23 in the Parish of Brickhill commencing from the west side of the public road B.660 known as "Kimbolton Road" approximately 5 metres east of 30, Rhineland Way, Brickhill at Ordnance Survey Grid Reference (OSGR) TL 0596/5271 shown as Point A on the attached map then running in a western direction for approximately 8 metres and then running in a generally northern direction for approximately 11 metres to a point where it has a junction with that part of Public Bridleway numbered 23 to be retained at OSGR TL 0596/5272 shown as Point B on the Order Map.

The Definitive Statement records the width for the said Public Bridleway as not less than 3 metres. For the avoidance of doubt, it is intended for this Order to stop up the length of Public Bridleway described above in its entirety.

I certify that this is a true copy of the Order
as it was when it was:

**CONFIRMED AS AN UNOPPOSED ORDER
BY BEDFORD BOROUGH COUNCIL**

Signed: *Seamus McLeod*

Dated: 19/04/23

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A length of Public Bridleway to be created by this Order approximately 5 metres north east of 30 Rhineland Way, Brickhill commencing from a point where it has a junction with that part of Public Bridleway numbered 23 to be retained at Ordnance Survey Grid Reference (OSGR) TL 0596/5272 shown as Point B on the attached map then running in a generally easterly direction for 2 metres to Ordnance Survey Grid Reference OSGR TL 0596/5272, approximately 5 metres west of the western margin of the public road known as "Kimbolton Road" shown as Point C on the Order map.

The new length of Public Bridleway described above shall have a width of 3.0 (three) metres throughout.

AUTHORITY FOR EXECUTION		
COUNCIL/COMMITTEE	MINUTE No./	DATE
DELEGATED POWER Matthew D'Archambaud	By Whom Exercised MD	DATE
	OFFICERS INITIALS	DATE
ORIGINATED AND CHECKED BY	GEM	14/11/22
APPROVED BY	AQ	08/02/23

I certify that this is a true copy of the Order
as it was when it was:

**CONFIRMED AS AN UNOPPOSED ORDER
BY BEDFORD BOROUGH COUNCIL**

Signed: *George McKeade*

Dated: 19/04/23

In Respect of the:-

"Bedford Borough Council (Brickhill: Part of Bridleway No. 23) Public Path Diversion Order 2023".

This Order was Confirmed by Bedford Borough Council as an Unopposed Order

Dated this 13 day of APRIL 2023

THE COMMON SEAL OF
BEDFORD BOROUGH COUNCIL

was hereunto affixed
in the presence of:-



Authorised Signatory

Wai K. Tsang
Solicitor
Legal Services
Bedford Borough Council *Wai K. Tsang*

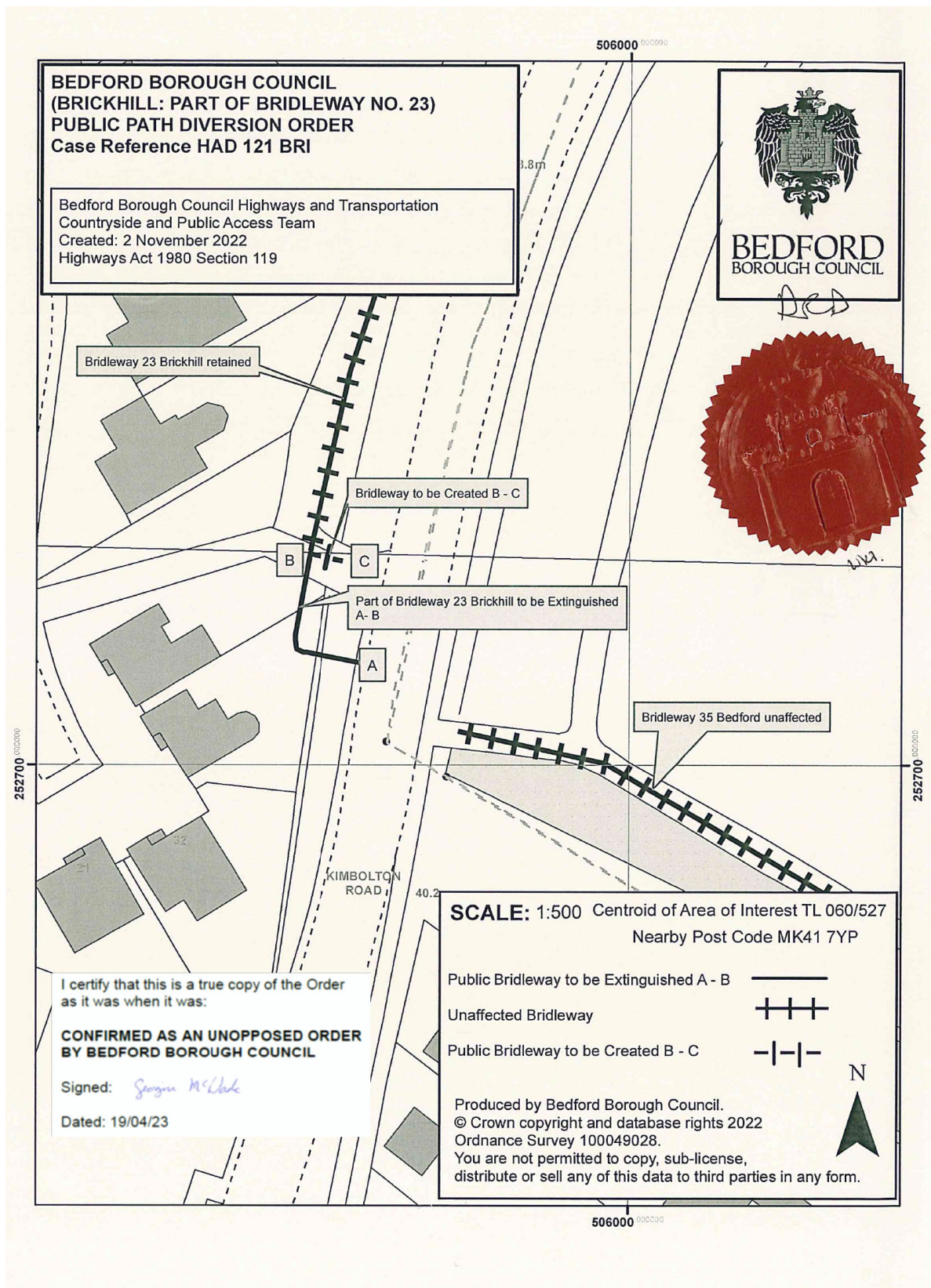
Therefore in accordance with Article 1 of the order it will come into force at the expiry of 7 (seven) days from the date of confirmation, that is to say on 20 APRIL 2023

I certify that this is a true copy of the Order
as it was when it was:

**CONFIRMED AS AN UNOPPOSED ORDER
BY BEDFORD BOROUGH COUNCIL**

Signed: *Georgia McLeod*

Dated: 19/04/23



MAP IS NOT TO ORIGINAL SCALE

HIGHWAYS ACT 1980

SECTION 119

BEDFORD BOROUGH COUNCIL
(BRICKHILL: PART OF BRIDLEWAY No. 23)
PUBLIC PATH DIVERSION ORDER 2023

MADE BY BEDFORD BOROUGH COUNCIL ON:

01 MARCH 2023

[CONFIRMED BY BEDFORD BOROUGH COUNCIL ON:]

13 APRIL 2023

[ORDER COMES INTO FORCE ON:]

20 APRIL 2023

I certify that this is a true copy of the Order
as it was when it was:

**CONFIRMED AS AN UNOPPOSED ORDER
BY BEDFORD BOROUGH COUNCIL**

Signed: *Seamus McKelvey*

Dated: 19/04/23

END OF DOCUMENT