

PUBLIC PATH DIVERSION ORDER

SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990

CHESTERFIELD BOROUGH COUNCIL

CHESTERFIELD CANAL PUBLIC PATH ORDER (No 1) 2024

**DIVERSION OF UNRECORDED TRANS PENNINE TRAIL (PART),
STAVELEY BRIDLEWAY 48 AND STAVELEY FOOTPATH 1 (PART),
STAVELEY FOOTPATH 50 AND STAVELEY FOOTPATH 71 (PART).**

This order is made by Chesterfield Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpaths and bridleways 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 reference CHE/20/00420/FUL for reinstatement of former Chesterfield Canal along its route between Staveley Basin/Eckington Road overbridge and Hague Lane Renishaw, Staveley, Chesterfield.

BY THIS ORDER:

1. The footpaths and bridleway over the land shown by bold solid black lines on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted or extinguished as provided below:
2. There shall be created to the reasonable satisfaction of Chesterfield Borough Council alternative highways for use as replacements for the said footpaths and bridleway as provided in Part 2 of the Schedule and shown by bold and none bold black dashes on the attached map.
3. The diversion of the footpaths and bridleways shall have effect on the date on which Chesterfield Borough Council certify that the terms of Part 2 have been complied with.
4. The following works shall be carried out in relation to the highways described in Part 2 of the Schedule:
 - a) The new footpaths and bridleways will be 3.0 metres wide with surface material of a compacted stone similar to that used for the towpath on the existing restored lengths of the canal.

- b) For the Bridge the diverted footpath and bridleway will be 3.0 metres wide with an approved surface material in accordance with British Horse Society guidance.
5. The developer of the canal restoration scheme (The Chesterfield Canal Trust Ltd) is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpaths and bridleways are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Section as indicated on map	DESCRIPTION OF SITE OF EXISTING FOOTPATHS AND BRIDLEWAYS
Footpath 1 (and TPT) A-B-C	The whole width of that part of Staveley Footpath 1 (which is also part of the Trans Pennine Trail) commencing at Point A (GR 443457 375311) and proceeding in an easterly direction for a distance of approximately 140 metres to Point B (GR 443602 375336) and then proceeding in a north direction for a distance of approximately 6 metres and then in a west direction for a distance of approximately 6 metres to Point C (GR 443595 375340).
Footpath 50 (and TPT) B-D	The whole width of that part of Staveley Footpath 50 (which is also part of the Trans Pennine Trail) commencing at Point B (GR 443602 375336) and proceeding in a generally east south easterly direction for a distance of approximately 160 metres to Point D (GR 443737 375250) where it adjoins Staveley FP49.
Footpath 71 E-F-G	The whole width of that part of Staveley Footpath 71 commencing at point E (GR 443591 375367) and proceeding in a generally east south easterly direction for a distance of approximately 95 metres to Point F (GR 443679 375336) and then in an easterly direction for a distance of approximately 75 metres to Point G (GR 443759 375333).
Bridleway 48 (and TPT) H-V-U-Q	The whole width of Staveley Bridleway 48 (which is also part of the Trans Pennine Trail) commencing at commencing at Point H (GR 443686 375353) and proceeding in a generally south easterly direction through points V (GR 443700 375335) and U (GR 443736 375310) for a distance of approximately 100 metres to Point Q (GR 443763 375290).

Unrecorded route (TPT) N-O-P-Q The whole width of that part of the unrecorded route of the Trans Pennine Trail commencing at Point N (GR 443798 375408) and proceeding in a generally south south westerly direction for a distance of approximately 45 metres to Point O (GR 443777 375384), then proceeding in a generally south south east direction for a distance of approximately 60 metres to point P (GR 443790 375327) and then proceeding in a generally south south westerly direction for a distance of approximately 50 metres to Point Q (GR 443763 375290). The section between points P and Q traverses an existing embankment by means of a flight of steps.

Unrecorded route (TPT) O-K The whole width of that part of the unrecorded route of the Trans Pennine Trail commencing at Point O (GR 443777 375384) proceeding in a generally west south westerly direction for a distance of approximately 65 metres to Point K (GR 443714 375359)

PART 2

Section as indicated on map **DESCRIPTION OF SITE OF NEW FOOTPATHS AND BRIDLEWAYS**

A-B A 3.0 metre wide footpath commencing at Point A (GR 443457 375311) and proceeding in an easterly direction for a distance of approximately 140 metres to Point B (GR 443602 375336) The route is diverted along this length onto the existing provided pathway.

B-D A 3.0 metre wide footpath commencing at Point B (GR 443602 375336) and then proceeding in in east south easterly direction for a distance of approximately 160 metres to Point D (GR 443737 375250) where it adjoins Staveley FP49. The route is diverted along this length onto the existing provided pathway.

G-H-I-J A 3.0 metre wide footpath commencing at Point G (GR 443759 375333) and proceeding through Point H (GR 443686 375353) in a generally west north westerly direction for a distance of approximately 170 metres to Point I (GR 443605 375391) before proceeding in a north north west direction for a further 50 metres to Point J (GR 443591 375442) where it adjoins Eckington Road. The route is diverted onto the existing provided pathway.

N-U-R-Q-S-T A 3.0 metre wide bridleway commencing at Point N (GR 443798 375408) proceeding in a generally south south westerly direction through Points U (GR 443789 375385), R

(GR 443777 375330), Q (GR 443763 375290) and S (GR 4443760 375267) for a distance of approximately 160 metres where it joins Staveley FP49 and then proceeding in a south east direction for approximately 35 metres to Points T (GR 443785 375245) where it joins Staveley bridleway 47 and the unrecorded route of the TPT. The section from just north of Point R to just north of Point Q is on a bridge at 3.0 metres width.

N-M-L-K A 3.0 metre wide footpath commencing at Point N (GR 443798 375408) and proceeding in a curved form generally to the southwest for a distance of approximately 30 metres to point M (GR 443778 375395) and then curved to the south west for a distance of approximately 50 metres before reaching Point L (GR 443736 375379) and then in a south west direction for a distance of approximately 30 metres to Point K (GR 443714 375359).

L-G A 3.0 metre wide footpath commencing at Point L (GR 443736 375379) and proceeding in a south south easterly direction for a distance of approximately 50 metres to Point G (GR 443759 375333) where it joins Staveley FP71.

M-U A 3.0 metre wide footpath commencing at Point M (GR 443778 375395) proceeding in a generally curved south east direction for a distance of approximately 20 metres to Point U (GR 443789 375385).

THE COMMON SEAL

of the Chesterfield Borough Council
was hereunto affixed
this 16th day of February
Two Thousand and Twenty Four
in the presence of:-


Authorised signatory

Authorised signatory



No. in
Seal Book. 64491

