

READING BOROUGH COUNCIL

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP
AND STATEMENT MODIFICATION ORDER 2021**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53(A)(2)**

FOOTPATH 21A READING

This Order is made by Reading Borough Council (“the Council”) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the public footpath to which this Order relates in order to enable development to be carried out (in accordance with the planning permission granted under part III of the Town and Country Planning Act 1990) namely: Demolition of the two existing retail (Homebase and former Toys R Us) structures and the erection of new buildings ranging between 2 and 11 storeys in height, various works to the public realm, including a new riverside square, landscaping, accesses, parking and associated works (Planning reference: 170509 & NMA 200888).

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 Reading 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. Part of the footpath over the land shown by a continuous bold black line on the attached map and described in Part I of the Schedule to this Order (“the Schedule”) shall be diverted, and the Reading definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of the Council an alternative highway for use as a replacement for the said footpath as provided in Part III of the Schedule shown by bold black dashes on the attached map.
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 and upon the occurrence of that

diversion the Reading definitive map shall be modified by deleting from it the path referred to in paragraph 1 of this Order and the path referred to in paragraph 2 of this Order shall be added to it, and the definitive statement shall be modified as described in Part III of the Schedule.

4. Berkeley Homes (Oxford & Chiltern) Ltd will pay for the full cost of the works and bringing the new route into a fit condition for public use.
5. The relevant date of this Order will be as specified in paragraph 3.
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, 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.
7. The following works shall be carried out in relation to highway described in Part II of the Schedule:
 - a. Removal of existing stepped access to western end of the lower towpath and creation of 23 metres long, 1.5 metres wide ramp.
 - b. Creation of a stepped seating and landscaped area by realignment of the upper footpath and new sections of wall between the upper and lower paths.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OF WAY

“From”	The slope on the eastern boundary of Forbury Road, NE, E and ESE along the north side and abutting the River Kennet.
“To”	The footway alongside Gasworks Road.

The minimum widths of the path are approximate and shall be recorded as follows;

Between points A - B, 4.0 metres

Between points B - E, generally 6.5 metres with an increase at point C to 7.0 metres

Between E - F, 4.5 metres

Between F - H, 2.8 metres

Between H - J, 5.1 metres

PART II

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

The new length of Footpath 21A to be created are approximate and shall be recorded as follows;

Between point K (6m East of point A) to B, upper footpath, (approximately 12 metres in length), 3.5 metres in width.

Between point K (6m East of point A) to X, existing steps replaced by ramp to lower footpath (point C), (approximately 23 metres in length), 1.5 metres in width.

Between point L to M (approximately 22 metres in length), min 3.0 metres in width

Between point M to N, (approximately 31 metres in length), min 2.5 metres in width

Between point N to O (approximately 29 metres in length), min 2.0 metres in width

Between point O to point D (approximately 12 metres in length), 2.5 metres width

PART III

MODIFICATION OF DEFINITIVE STATEMENT

“From” The slope on the eastern boundary of Forbury Road, NE,
E and ESE along the north side and abutting the River Kennet.

“To” The footway alongside Gasworks Road.

The minimum widths of the path are approximate and shall be recorded as follows;

Between points A - B, the width varies between 3.5 metres and 6.0 metres

Between points B - C, upper footpath, 3.5 metres

Between points C - D, lower footpath varies between 1.8 metres and 2.6 metres

Between points C - L, upper footpath 3.5 metres

Between points D - F, 4.2 metres

Between points F - H, 2.8 metres

Between points H - J, 5.1 metres

Between point L to M, upper footpath, min 3.0 metres in width

Between point M to N, upper footpath, min 2.5 metres in width


Between point N to O, upper footpath, min 2.0 metres in width


Between point O to point D, upper footpath 2.5 metres width

Limitations and Conditions

1. A 1.5 metre wide ramp at western end of lower footpath at Point K on the order map
2. Steps at eastern end of lower footpath at Point Y on the order map
3. Railings, retaining wall and landscaping planters between points K and Y on the order map

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this 12 day of Jan 22 .) 12/01/22
in the presence of:-)


Minute	Min Sub Comm mtg Cab 16.6.21 traffic management
Originator	PT
Seal No.	341/21
Checked	


Authorised Signatory

READING BOROUGH COUNCIL in pursuance of their powers in that behalf conferred by the Town and Country Planning Act 1990, hereby confirm the foregoing Order as an unopposed Order.

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this 16th day of February 2022)
in the presence of:-)

Minute	Traffic management sub-committee meeting minutes - 16 June 2021
Originator	PT
Seal No.	50/22.
Checked	ab



Authorised Signatory